



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

### Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

### About Google Book Search

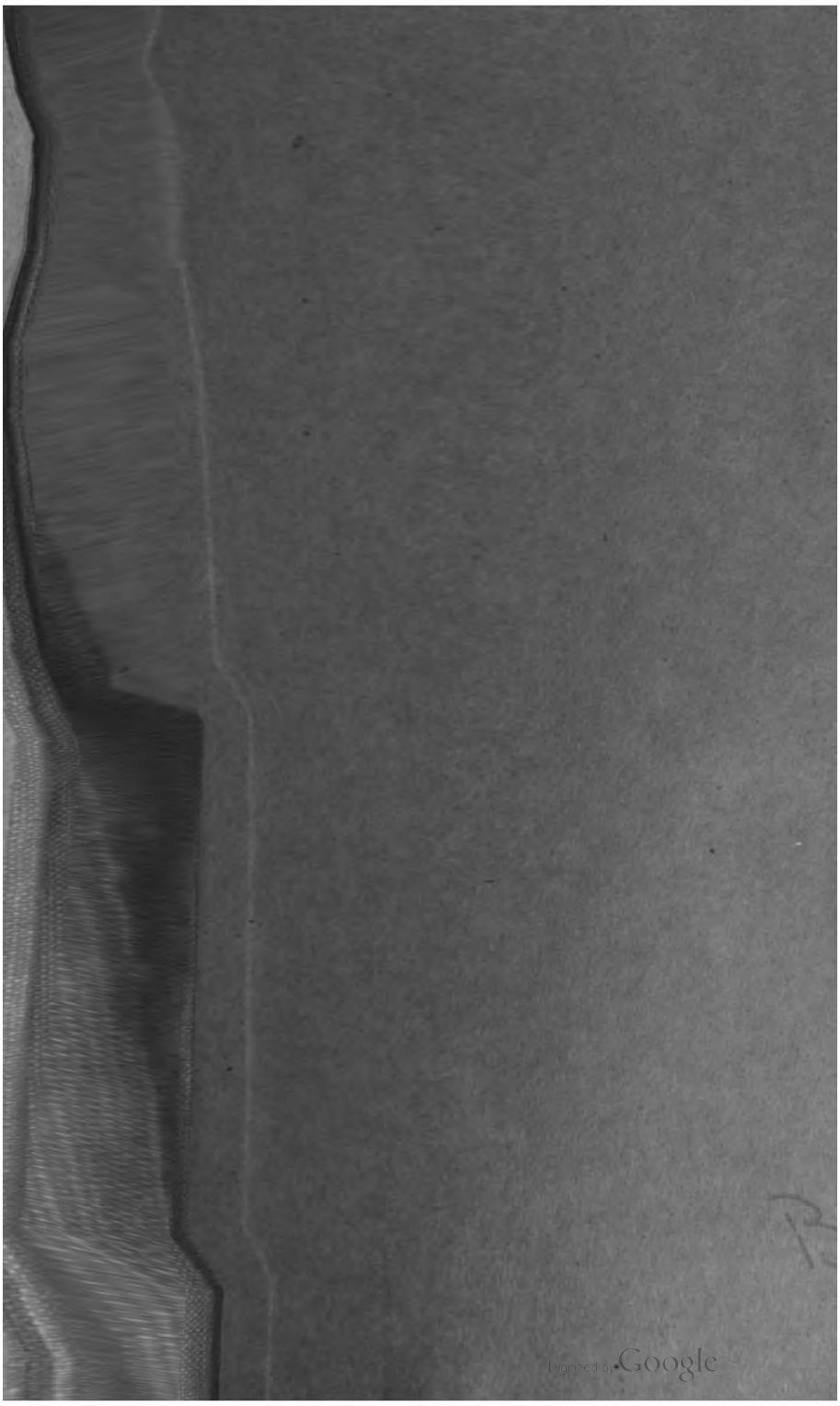
Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>

NYPL RESEARCH LIBRARIES



3 3433 08175147 5













THE  
BRITISH AND FOREIGN  
REVIEW;  
OR,  
EUROPEAN QUARTERLY JOURNAL.

---

"In primisque hominis est propria veri inquisitio atque investigatio."

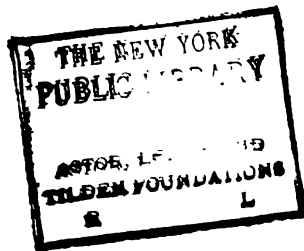
CICERO DE OFF.

VOL. III.  
JULY—DECEMBER.  
1836.

LONDON:  
JAMES RIDGWAY AND SONS.

---

MDCCCXXXVI.



NEW YORK  
PUBLIC  
LIBRARY

LONDON:  
PRINTED BY T. BRETTELL, RUPERT STREET, HAYMARKET.

845

THE  
BRITISH AND FOREIGN  
REVIEW;

OR,  
EUROPEAN QUARTERLY JOURNAL.

---

“ In primisque hominis est propria veri inquisitio atque investigatio.”

CICERO DE OFF.

---

Nº V.

LONDON:  
JAMES RIDGWAY AND SONS, PICCADILLY.

**LONDON :**  
**PRINTED BY T. BRETTELL, RUPERT STREET, HAYMARKET.**

# CONTENTS

OF

N° V. 1836

## ARTICLE

Page

I.—*History of the Netherlands, from the earliest times to the Belgian Revolution of 1830. Published in Lardner's Cyclopædia.* By THOMAS COLLEY GRATTAN.

*Essai sur la Révolution Belge.* Par NOTHOMB.

*History of the Belgian Revolution.* By CHARLES WHITE.

*Compte de l'administration de la Justice Criminelle en Belgique pendant les années 1831 à 1834.* Par ED. DUCPÉTIAUX .....

1

II.—*Freydank's Bescheidenheit.* Von W. K. GRIMM.

23

III.—*Histoire Politique et Militaire de la Révolution Polonaise pendant les Années 1830 et 1831.* Par RICHARD OLTON SPAZIER.

*La Pologne. Précis Historique, Politique et Militaire, de sa Révolution.* Par Le COMTE ROMAN SOLTYK.

*La Guerre de la Pologne en 1831.* Par MARIE BROZOWSKI.

*The People of Russia and the Policy of England. Report of the Fourth Annual Meeting of the Friends of Poland.*

*MSS. Papers of the Literary Association of the Friends of Poland* .....

61

IV.—*Memoirs of Sir William Temple.* By the Right Hon. THOMAS PEREGRINE COURTENAY .....

89

V.—*Spain Revisited.* By the Author of "A YEAR IN SPAIN."

*L'Espagne et ses Révolutions.* Par EMMANUEL MARLIANI .....

109



- VI.—*Essays towards the History of Painting.* By Mrs. CALLCOTT.  
*Tour of a German Artist in England, with Notices of Private Galleries, and Remarks on the State of Art.* By M. PASSAVANT : translated from the German.  
*Laocoon ; or, the Limits of Poetry and Painting ;* translated from the German of G. F. LESSING. By WILLIAM ROSS, late Professor of Painting and Sculpture in the Andersonian University, Glasgow ..... 150
- VII.—*Tableau de Statistique Electorale.* Par M. PIGNERRE DE LABOULOYE.  
*Etudes sur les Orateurs Parlementaires.* Par TIMON. (M. DE CORMENIN.)  
*Lettre à un Ministre de 1825 sur un Ministre de 1836.* Par M. LOÈVE-WEIMARS..... 167
- VIII.—*Report of the Commissioners appointed by His Majesty to inquire into the Ecclesiastical Revenues of England and Wales.*  
*Reports from His Majesty's Commissioners, appointed to consider the State of the Established Church, with reference to Ecclesiastical Duties and Revenues.* Ordered to be Printed 19th March, 1835 : 10th March, 1836 : 20th May, 1836 : 30th June, 1836. ... 201
- IX.—*Istoria Rossiyskago Gosudarstwa, soczynenia Karamzina.*  
*History of the Russian Empire.* By KARAMZIN 232
- X.—*A few Observations on Religion and Education in Ireland.* By the Rev. EDWARD STANLEY, A.M., Rector of Alderley.  
*Letter to a Protestant Englishman.* By the Rev. JAMES MAHER, Administrator of the Parish of Carlow, in the Roman Catholic Diocese of Kildare and Leighlin.  
*A View of the State of Pauperism in Ireland, its Evils and its Remedies.* By LAW RAWSTORNE, Esq. .... 262

# THE BRITISH AND FOREIGN REVIEW.

---

## ARTICLE I.

*History of the Netherlands, from the earliest times to the Belgian Revolution of 1830. Published in Lardner's Cyclopædia. By* THOMAS COLLEY GRATTAN.

*Essai sur la Révolution Belge. Par* NOTHOMB.

*History of the Belgian Revolution. By* CHARLES WHITE.

*Compte de l'administration de la Justice Criminelle en Belgique pendant les années 1831 à 1834. Par* ED. DUCPÉTIAUX.

THE construction of the kingdom of Belgium, which is now in its sixth year of progress, has been one of the most remarkable political experiments of our time. The kingdom of the Netherlands, imperfectly put together in 1814 and 1815, and violently decomposed in 1830, consisted of heterogeneous and ill compounded elements, which, from the mismanagement of the monarch to whom they were committed, relapsed, after fifteen years of forced fusion, into a state of animosity that forbids the possibility of a re-union. It may be well, in attempting to trace the present state of Belgium, to start with the positive announcement of this conviction. To enter on the question without such a specific opinion would be altogether idle. The future fate of Belgium must be a partition, a junction with France, or its establishment as a separate and independent state. The latter of these alternatives is the least difficult and most probable; but it is still far from its

accomplishment as a permanent political fact. Before speculating on the future, we must, however, glance at the past, and fix our attention on the present. Let us look at Belgium as it is, before we venture to suggest what it ought to be, or to predict what it may become.

Some of the elements of a true nationality have existed at all times in the different tribes which compose the population of the nine provinces now comprehended in the general name of Belgium; but the national feeling is incomplete, and the people are scarcely yet conscious of their own identity. The great diversity of character and interests which has ever existed among them, and which is as yet by no means merged in one common sentiment, requires a combination of prudence, vigour, and dexterity rarely to be found in a government, and even when it does exist, seldom appreciated by the governed. It is thus that we have seen, during the last five years, rash or timid measures on the one hand, and a dissatisfied disposition on the other; an ineffective ministry, and a narrow-minded parliament; a sordid spirit of locality thwarting occasional good projects of legislation, and paltry prejudices neutralizing the efforts of a partial enlightenment. Notwithstanding these manifest obstructions to the march of improvement, much has been effected by the mere force of circumstances; and new-born Belgium is, as it were in its own despite, rapidly advancing to full-grown prosperity. Never did a country run a more perilous career than this in the early days of its revolution: none ever had such a succession of unfailling good fortune. For many months Belgium was hourly exposed to the worst possible chances—anarchy, invasion, dismemberment, a return to the most splendid servitude which coupled her with French glory, or to her ignoble partnership in the plodding scheme of Dutch destiny. Her escapes were a succession of miracles—from her own ignorant and presumptuous people, from her open foes, and her false friends. The contrasted events of her turbid burst of revolution were very striking. The heroic defence of Brussels; the humiliating defeat of Louvain; the triumphal entry and ignominious flight of the weak demagogue De Potter; the republican Regency; the monarchy put up to auction; these and a hundred other as anomalous trans-

actions gave a notoriety to Belgium, which by turns excited the disgust or gained the sympathy of Europe. The world was long undecided as to the opinion to adopt or the course to pursue; and nothing ever appeared more marvellous than the quiet subsiding of those troubled elements into an orderly constitutional monarchy and an industrious commonwealth. Yet history might have prepared us for this result. The influence of an elected ruler is at first prodigious over the great majority of a revolutionised nation: most men who have conquered the exercise of independence like to take their tone from the chief of their own choice, and to pay a compliment in his person to their own sagacity. Had King Leopold been of a fiery and ambitious temperament, Belgium would have proved a brand to set all Europe in a flame. Happily for the world, his character is the very reverse of that; and well did the interested contracting parties calculate the effect of his wisdom on the doubtful population, whose proffered sovereignty they entreated him to accept. We speak positively, when we say that among the princes who in the hour of danger were the most pressing advocates for his being placed in the vacant throne, are those who have since been the most active instigators of his expelled predecessor.

It has been emphatically said that the best chance for Belgian nationality is, that the country should be satisfied to begin its history from the year 1830. For every purpose of practical policy this is certainly true. To forget in some cases is quite as important as to retain in others. Early errors in individuals or nations must be rooted out before the true principles of education can be implanted. Modern, monarchical, and independent Belgium must cast aside altogether the prejudices and pride of those disjointed provinces which constituted in former times the appanage of so many distant and powerful states. The various privileges of locality, which then proved barriers against foreign oppression, are now but so many elements of weakness—internal obstacles to the certain prosperity and the probable greatness, which seem destined for regenerated Belgium.

The opposing principles, fostered by her various changes of allegiance during several centuries, have given a motley colouring to her character that forbids a distinct definition.

Each separate portion shows the virtues and the vices of some other continental state. The pride and the bigotry of Spain, the industrious dulness of Germany, French bluster and susceptibility, Dutch order and avarice, are all commingled in the Belgian character. Long residence in the country can alone give an insight into this moral patchwork at the present time: during the revolution of 1830 its kaleidoscope elements, the effect of accidental juxtaposition, were evident to all observers.

How is this incongruous mass to be moulded into a distinct and uniform people? And how could it be supposed that the Belgians themselves—the very men who form a part, and who share the failings, of the whole—should have accomplished in one short lustre what it will probably take a century to effect? It is too much to expect that Belgian nature should be better than human nature. Nor is it fair towards either to look for perfectibility in imperfection, or to hope that Flanders should send a Solon in every member elected to the Chamber of Deputies or the Senate. The combustion of 1830 laid bare the most hidden strata of which the popular character was formed. It was then seen what materials existed for the new construction commanded by the necessity of things. A mass of mediocrity appeared, with which it was impossible all at once to effect any thing great, solid, or elegant. The rest of Europe perceived this with universal satisfaction. The despotic powers saw there was no danger of any ulterior enterprise from a people, who, finding it so easy to drive out the Dutch, had not the genius necessary to push forward their advantage. France looked on the separated section of the Netherlands as a sure and speedy prey. England saw an opening for her commercial relations with the continent, and a tardy realisation of Napoleon's sagacious view of her best policy\*. Much disappointment and a partial success balked or justified these several speculations. The Northern Courts were the only real gainers in the diplomatic game which followed. Their tottering thrones were supported. The disguised despotism, which ruled the states of the Germanic Confederation, flung aside its mask, and increased its ascend-

---

\* See *Las Cases' Vie et Conversations de Napoléon*, Tom IV., p. 263.

ancy. The hopes of European liberty were for a time thus thrown back ; and the great impulsion which had been given, was repressed or averted.

Far more mischief has been done to Belgium by the indiscreet ardour of her friends than by the outrageous efforts of her detractors. She might well reiterate the reproach of Job to his comforters. Her most deserving friends have been made ridiculous by an excess of praise. The truth is, that the Belgian revolution did not bring forward a man of more than ordinary talents, and very few who rise to that level. De Potter, its original author, was a presumptuous failure ; de Chokier, the regent, an amiable nullity. A prime minister stepping from behind a bookseller's counter, an ambassador emerging from the partnership of a printing office, counsellors and secretaries of state chosen from the obscure members of an undignified profession (for such is the law in most continental countries, from which Belgium offers no exception) had not a fair chance when they came to be compared and to cope with the old, experienced, and confident aristocracy of which the members of European diplomacy were at the time almost exclusively composed. We say this in no unjust disparagement of the men sent out by Belgium to negotiate her independence, or kept at home to organise her civilisation. We rejoice, on the contrary, to see those of lowly birth and untitled names finding the reward, which the comparative superiority of their talents deserves. In the total absence of the necessary qualifications among the 'scutcheoned aristocracy of Belgium, the middle classes assumed their "monarchy," and they have maintained it almost intact. But we wish only to point out, that, of those fortunate functionaries, civil and military, not one exception has appeared to an humble mediocrity. It was hardly to be expected. A people long nurtured by foreign rulers in a firm conviction of their own incapacity, and contemptuously excluded from the offices of their own administration, could not start by intuition into discerning statesmen or experienced warriors. How could the popular leaders, who fought out their country's freedom in the streets of Brussels, be fit to direct divisions or manœuvre battalions, when the hour of action appeared against a disciplined and well-officered army ? How could

such negotiations, as we have alluded to, stand the test of a contact with the haughty suavity of their patronizing friends, English or French, or the cold arrogance of the Austrian, Prussian, or Russian members of the Conference of London? Nothing remained for the Belgian agents but to submit.

Cunning shifts and compliance to expediency form the chief tactics of small men summoned by the force of events into great places. A false position in social life is fatal to most men. Few can withstand the intoxicating influence of a too-elevated station; and fewer still will venture to adopt a vigorous tone with those fortuitously placed above them, which, by making them unpalatable to their colleagues, might cause the loss of their foreign appointment and send them back to the chances of a home career. It is from this cause that the interests of small and struggling states are often sacrificed to the objects of the more powerful, without the violence of war or flagrant injustice of dictation. This is one of those evils which arise when individuals without fortune, birth, or commanding talents—the three general bases of independence—gain, *per saltum*, the highest offices. A graduated scale of promotion is the only safe means of providing for the talent, energy, and industry, which abound in the middle classes. All places ought to be open to them. But, in justice to their country and themselves, they ought not to have “greatness thrust on them” too soon. The middle-class minister or diplomatist, astonished at having gained every thing, is afraid of losing any thing; and in his nervous eagerness to secure what he has acquired, his aristocratic doctrines and bearing when in power are in a direct ratio with his previous ultra-liberalism. The treasury benches of France and Belgium have of late years furnished various examples of these truths. Then all the families, connections, and friends—a party more influential from their energy, and their position, than from their numbers—are sure to outminister the minister, and a tone of upstart aristocracy is diffused throughout the whole social system. No people like repeated convulsions; and when the leaders who stir them up to revolt are satisfied, they become easily persuaded, that *they* ought to be so as well.

But these latter observations are applicable with less force to Belgium. In glancing at the causes of her present conservative

and anti-republican opinions, we have no intention of echoing, even by implication, the absurd complaints of the very small and very insignificant party which is to be found in opposition to the King and Government. Belgium amply obtained by her revolution more than France ever dreamed of or was defrauded of. A constitution was framed by the National Congress on so liberal a scale, that the country has been found too narrow for it to work in. The Belgian Constitution, without those gradual modifications, for which one of its articles provided, would have been inapplicable to the existence of the most limited form of monarchical government. In its original form, it was an instrument admirably devised for the two-fold purpose of embarrassing King William, or of making the populace omnipotent. But the country has luckily escaped both from Dutch dominion and unchecked democracy; while the manifest defects of the fundamental part are gradually disappearing, under the practical good sense of the representatives of the people. The most moderate changes in the Constitution have been maturely considered, and admitted, with a salutary spirit of jealousy against the executive, by those members who are most imbued with a conviction of their necessity. Several questions have been, no doubt, argued on the narrowest grounds of local and provincial prejudice, and perverse majorities have been frequently found opposed to the soundest principles on subjects of political economy and commerce. But the light almost invariably penetrates the dull atmosphere of the National Council; and projects which are decidedly rejected in one session, may be sure of passing, if brought forward with due explanations, in the next. So that, as far as the prosperity of Belgium depends on herself, there is the fairest chance of its great and progressive extension.

Among the erroneous notions prevalent in the rest of Europe upon this country, and, like most other errors, founded on a sufficient basis of truth to give them a dangerous semblance of reality, are three very important:—The fancied existence of an intolerant religious spirit in the mass of the nation; the imagined extensive longing for a re-annexation to France; and the belief that an equally anti-national spirit of Orangeism, or attachment to the Nassau



dynasty, is strong in Belgium. The political world has been already tolerably disabused of the last two of these mistakes, so boldly and barefacedly vouched for by journalists and tourists for a succession of years, till facts, which carry infallible deductions with them, taught the most rapid travellers and least capable observers the necessity of more cautious observation. We shall take these propositions in their inverse order and begin with the last, because it is at once the most plausible, the most generally believed, and the most easily overthrown.

We may therefore unhesitatingly state, that from the year 1830 to the present day there has not existed among the self-styled "Orangeists" of Belgium any element worthy the dignified title of a political party, in number, station, or enterprise. To constitute a party, a leader, an object, organisation, and action are essentially requisite. The Orange faction does not possess any one of these. Some worthy individuals, attached from private motives to the expelled family; a few nobles, opposed to revolutionary change, and therefore retaining a morbid regret of the old king (despite of his fifteen years persevering plans for mortifying their whole order); certain merchants of Antwerp, who had been embarked in the colonial trade, and are large losers by its decline; the cotton manufacturers of Ghent, who, having pushed their speculations to an exaggerated extent, were suddenly checked in their hopes of profit—these form the Orange faction. But those men have never, from the first outbreking of the revolution, done a single thing in furtherance of their professed opinions, beyond encouraging a few journalists to write up the cause which their own conduct runs down, abusing the privileges of a free press by a fluent audacity, and heaping outrages on the highest, the most virtuous, and the most truly patriotic individuals in the realm.

The only object that could give a serious character to an Orange party in Belgium, would be, a re-union with Holland. The impossibility of such an event is admitted universally, with the exception of two or three newspapers, probably supported by the dethroned king, and read by many who like to follow the ingenious sophistries of a desperate argument, or who cannot resist the piquancy of a clever tissue of personalities. But it is altogether out of the belief of the patrons of those papers

that the restoration they rave about can take place. They know that Belgium would never voluntarily submit to it; that there is no power in Europe able to enforce it against the will of France and England; and, the most important point of all, that no considerations would induce the Dutch people to consent to it.

There is not a man in the country of the least influence to whom even suspicion can point as likely to be the leader of a party for this unattainable object, even among the self-interested individuals who regret the loss of King William, his wide-spread speculations, and the millions of florins which the country entrusted to his keeping, and which were devoted by him to the most injurious purposes of commercial monopoly. Who of all those would step out from his factory or counting-house to fight for King William's cause? Who would risk his property in the fierce struggle which must take place before a Nassau can again rule in Belgium? Not one of those *soi-disant* Orangeists has ever paid for the cause of the dethroned family, either in purse or person. Not one of them has ever drawn a sword or taken up a musket in aid of the princes whom they led on by false promises to discomfiture and disgrace. There are many among them who called themselves Orangeists, for the purpose of stimulating the hopes of the late King and thereby keeping the actual Government in alarm, to forward their selfish commercial purposes, and perhaps not quite without effect. But in fact, the persons who boasted most loudly of their "Orangeism" only considered the word as a type of Dutch connection, not of Nassau sovereignty. They regret the loss of the colonial trade of Holland, which alone possessed any solid value for them. The return of that monopoly is the restoration they would rejoice in. Such is our view of the nature of the imagined Orange party in Belgium, which, such as it was, was utterly extinguished by the popular measure of retribution dealt out, in April 1834, by a few hundreds of the Brussels rabble, on the household chattels of some fifteen or sixteen of the leading Orangeists, while many thousands of the respectable and orderly but indignant citizens looked on, as at a legal execution, without raising a hand to protect the property thus sacrificed!

The notion of a Belgian longing for a re-annexation

to France is one of those political fictions, which are clung to in defiance of every argument of reason and every instinct of sound faith. There is no point relative to Belgium more thoroughly misunderstood than that of its feelings on this question. A junction with France was never popular in Belgium, from the days of old, when the sturdy burghers of Flanders again and again repelled the whole French chivalry, to those of 1793, when Dumouriez wrote to the Convention that the union was effected in Belgium *à coups de sabre*. Almost the first acts of the Revolution of 1830 were the rejection of the French tri-colour and the hoisting of the standard of Brabant. It was only in despair, at the dread of being again united with Holland, that a return to the dominion of France was entertained by a small party in the country. But the nation at large looks on both those threatened destinies with equal repugnance, shrinking with equal horror from the crushing embrace of the giant and the impotent caresses of the dwarf. The Duke de Nemours would never have been elected King, but from an apprehension that the country might again be thrown under the feet of the Nassaus. The union between the countries was at all times a French, never a Belgian project. Louis XI. sought to obtain it by the marriage of his son with the heiress of the House of Burgundy. Louis XIV. sought to win it by conquest. The Republic achieved it by force. But there never was any real sympathy between the two people. The French, even now, in spite of revolutionary resemblances and family alliance, have a self-sufficient pretension with regard to the Belgians, which the latter repay with feelings that, if not actually hostile, are very far from affectionate. Neither individuals or nations can love those who hold them cheap. Belgium admires French power and values French protection. But a jealous sensitiveness on the subject of French influence is a leading characteristic of the Belgians of to-day, as is plainly evinced in the fierce virulence with which the French officers in the Belgian army are daily assailed. In short, neither the interests or the inclinations of the people lead them to contemplate a second submission to French domination. They know that the whole system of European policy is opposed to it. They see that the reasonings of Mirabeau in favour of their separate independence, half a century back, are now sanctioned

by Europe at large; except that instead of his proposed republic, Belgium has chosen (in the spirit of the times) the more solid and feasible form of a limited monarchy, with the most liberal institutions that any where exist.

The desperate struggles in France, since 1830, between republicanism on the one hand, and an inevitable tendency to repressive measures on the other, have never found any imitators in Belgium. During the height of the revolutionary fever, republicanism was but little in vogue. The Jacobin Club, established at that period, contained none of those patriots who joined practical sense to high excitement. A society was subsequently formed, called *L'Association Belge*, which numbered among its members several men of great respectability in various professions, including even two or three priests. But the presidency of De Potter was fatal to its existence, and it dissolved itself at the period of the adoption of the Eighteen Articles. The National Congress never contained above a dozen professed republicans. There is not at present one avowed republican society in Belgium. French propagandism, tainted as it is by doctrines of spoliation, and stained by the adoption of the maxims of the reign of terror, finds no sort of sympathy. Republicanism is altogether foreign to the notions of the mass of the people, and is only cherished, as a vision of the past or a hope for the future, by a few enthusiasts, who see no elements for its establishment in the circumstances of the present day.

As the most convincing proof that Belgium could have nothing to gain by being again annexed to France, it may be well here to enumerate the advantages she secured by her former union with that country, which she still possesses, and beyond which she could hope for nothing more. They may be stated as follows:

*First*,—The suppression of all the old feudal privileges.

*Second*,—Exemption from territorial contributions.

*Third*,—The abolition of tithes.

*Fourth*,—A more extensive division of real property, resulting from the suppression of the abbeys, majorats, and entails.

*Fifth*,—The repeal of the game laws.

*Sixth*,—The establishment of a land-tax, founded on the principle of the valuation of the territorial revenue; of an

admirable registry law; and of a cheap system of tax collection.

*Seventh*,—The encouragement given to the various branches of education in the central schools and *lycées*.

*Eighth*,—A uniform system of legislation, by the creation of the commercial, criminal, and penal codes; the publicity of judicial proceedings; the trial by jury; and finally, the widely extended study and common use of the French language.

Can it be supposed that any rational people, possessing all this, in addition to the unbounded liberty of the press\*, the widest feasible extension of electoral law, together with numerous advantages in the working of the Constitution, totally unknown to that of France, would barter their separate nationality for a subservient junction which could not obtain for them one possible equivalent? The eyes of the Belgian nation are open to the perilous position of its powerful neighbour. If France were once more to give way to her traditional impulse for foreign conquest, in spite of family ties or "the faith of treaties," Belgium would probably be the first prey. It then behoves her, while preserving as closely as possible her friendly relations with France, and strengthening those with England, to extend her connection with Prussia and the smaller German States, and there to seek the best securities against those French political contingencies which may be formidable obstacles to the consolidation of her independence.

The question of religious feeling must be disposed of in a few words; and a few undeniable facts may be referred to in their support. Roman Catholicism may be called the universal religion of Belgium. Probably 10,000 reformists of all sects is the utmost number in a population of four millions. The two Representative Chambers reckon but one Protestant member. The people are generally pious, prejudiced in many places, but no where decidedly fanatical. They are imbued in the rural districts with great reverence for the clergy; but where the priests oppose the innocent and accustomed pleasures of the peasantry, and assume an absolute dictation in political concerns, they

---

\* It is worthy of remark that not one Government prosecution of the press has occurred in Belgium since the Revolution.

are vigorously opposed by the respectable proprietors, and their influence is comparatively null. The priesthood is in general far from intolerant. That they exercise and wish to maintain a powerful sway over the lower orders is certain : but it is no less certain that no instance of persecution for religious opinion since the revolution can be cited. The priesthood, with the undoubted power of returning thirty Abbés to the Chamber of Representatives, are content to have but three of their body sitting in that assembly. The members of the clergy have invariably voted, both in the National Congress and in the Chamber, in favour of every measure of civil and religious liberty, with the exception of some questions of trade. They supported the election of a Protestant King. Nor did they oppose the ministerial project (the minister who introduced it being the avowed representative of the high Catholic party), which passed into a law last year, for the payment of a certain stipend to the English Protestant clergymen in Brussels, Antwerp, Ostend, and Spa. These salaries are now a regular charge, forming an item of the budget, as well as those for the payment of the Jewish Rabbins, throughout the country.

Religious feeling is in Belgium, as every where else, subject to modifications, arising from circumstances, and mainly affected by its incidental connection with politics. There is no tie in Belgium between the Church and the State. The Constitution does not formally recognise an established church. Entire liberty of religious opinion and protection for the exercise of sectarian worship are guaranteed by its 14th, 15th and 16th articles. The national clergy are paid on the lowest possible scale. The archbishop of Malines has a salary of but £840. a-year. The stipends of the inferior clergy do not average £30. To give temporal power to a religion, you must either enrich its priests or persecute its opinions. When Protestantism becomes poor, its only chance of recovering its ascendancy will be from Roman Catholic oppression. The prevailing unanimity of religious belief in Belgium gives no temptation or excuse for persecution. And, wonderful as it may appear, it is among the junior branches of the clergy, that the widest and most speculative notions of republicanism and free principles are to be found. Among these inexperienced enthu-

siasts, the Abbé de la Mennais' insane rhapsody, *Les Paroles d'un Croyant*, has met with the greatest number of admirers. To them the disordered eloquence and the distorted reasoning of that singular production has had all the force of argument and all the fire of poetic truth. But whilst the Belgians have displayed an alarming readiness to accept the worst productions of their French neighbours, (to whose literary influence their common language necessarily subjects them), the establishment of the Catholic University at Louvain, and the liberal steps recently taken to promote the higher branches of education, are an honourable part of the measures adopted by the Government to improve the condition of the clergy and the people.

When King Leopold arrived in Belgium, he soon found that his new sovereignty was not a sinecure. To keep in check the encroachments of French influence and to consummate a close alliance with the reigning family, to steer clear between the Catholic and Liberal parties at home, to keep well with the lukewarm and jealous rulers of other states, and to organize the whole political and social condition of his own people, was a task that he would have found, perhaps, impracticable, had not the King of Holland, by one of the most treacherous acts of civilised warfare, unintentionally proved himself the very best ally of the rival he intended utterly to ruin. Scarcely was Leopold inaugurated than he was called to the frontiers to defend the country against the marauding enterprise, which ended in what is generally termed the disaster of Louvain. In that affair Leopold's conduct was beyond all praise. Brave, active, and self-possessed, he gave evidence of almost every talent that is peculiarly suited to the station he holds. The "disaster," which he could not avert, produced a most salutary humiliation to the national mind of Belgium. Such a lesson was wanted, to teach her her true dimensions and proper place. No other people has so much required, in latter days, the varying discipline of success and reverse, of dependence and liberty. An occult instinct of nationality, the nature of which they scarcely understood, even in their struggle to attain it, was always irregularly working in the Belgian character. Joined successively to four different countries by force, the third revolt, in 1830, would have failed like those of former times, had

it not soon turned into the true course of national independence, and a dynasty of its choice. But the people, even when they gained their utmost objects, were ignorant of the value of a union for a common end, although it was to a coalition of parties the most extraordinary, perhaps, in history, that they owed their triumph. The greatest misfortune, that could have happened to them, would have been the power of extorting an acknowledgment of their independence and of their newly chosen King, from the deposed monarch. Such prompt success would have ruined them entirely. The delay in the formality of sending ambassadors from the northern courts, the checks given to the reception of those of Belgium, and many of the proceedings of the conference of London, taught her that European interests were paramount to her's. Having passed through her various trials, she is now fitted for that place in the great European Confederation, which she gained by a most fortunate concurrence of events, and which experience will teach her how to sustain and improve.

It cannot be doubted and it is thoroughly felt in Belgium, that her best chance for maintaining the position she has gained, is by an intimate alliance with England, to strengthen which there is a rapidly growing inclination throughout the country. The confirmation and extension of this feeling depend in a great measure on the British Government, and the official agents to whom it entrusts the representation of our national interests and national characters. Dignity of conduct, suavity of manners, a conciliatory temper, and a firm deportment, were never more needed than in the Minister destined to open fresh relations with the new-formed kingdom of Belgium, and charged with the delicate task of effecting the various objects of her alliance with England. Sir Charles Bagot, our representative in the Netherlands at the period of the Belgian revolution, was, in the inevitable course of political change, removed from his appointment when the Whig ministry came into power; and the duties which he executed with such an admirable union of good sense, good feeling, and unostentatious urbanity, were entrusted to other hands. The people of Brussels, accustomed to all this for several years, and deeply impressed with respect and attachment for his person and his character, saw him replaced by a veteran



diplomatist, the protégé and friend of Fox, who was at first looked up to, in point of worldly experience and political opinions, as a man still more fitting than his predecessor to meet with the sympathy of a revolutionised country. But, besides the private inconveniences proceeding from the mistaken selection of a British minister, the political opinions of Sir Robert Adair were not altogether free from the suspicion of being inclined towards the partisans of King William. Some acts of his, probably well intended, served to give a color or a pretext for these opinions, and he did not conceal his contempt for the exertions of the patriot Belgians. English interests were thus little advanced during his four years residence in the country. During the diplomatic interregnum which has occurred since Sir R. Adair's return, Sir George Hamilton, Mr. Bulwer, and Mr. Crampton, have successively filled the post of *Chargé d'Affaires* for a very short period. The establishment of a new English minister in Brussels is anxiously anticipated as a matter of great importance, for the furtherance of the social relations between the Belgian people and the British residents, on which many of the highest interests of the two countries may, in a great measure, depend.

And this leads us to that branch of our subject which may probably be considered as, after all, the most important; we mean the commercial situation and prospects of Belgium. On these serious questions a few general propositions may be safely established, as the basis of a sound and enlightened policy, and as the sure foundation of a most extensive prosperity, *viz.* :

*First*,—To maintain a system of commercial neutrality towards all nations, analogous to that political neutrality guaranteed to her by the great powers of Europe.

*Second*,—To get rid of all differential duties, with the exception of those raised on fish and fish oil, in favour of Belgian vessels employed in that particular branch of trade.

*Third*,—To foster no unnatural productions, and to attempt no forced extension of manufactures.

*Fourth*,—To remove every impediment on transit.

Ever since the establishment of Belgium as an independent nation, the formation of commercial treaties with other powers, particularly with England, France, and the United States of

America, has been an object of paramount interest, and of continued but as yet imperfect negotiation on the part of her government. With regard to France a partial success has latterly attended those efforts in the modifications lately effected in her commercial tariff with respect to Belgian products, which may be the precursors of more important reductions of import duties. But the day is, we fear, far distant, in which a regular treaty of commerce—based on that perfect system of reciprocity, without which it would be valueless—can be extorted from the men who wield the destinies of France. And in saying this, we do not allude to the ministers of the crown alone, but to the mass of those deputies who represent the worst prejudices of their constituents.

On the 23rd of January, 1833, a commercial treaty with the United States was actually signed between Mr. Livingston then Secretary of State, and Baron Behr the Belgian Minister at Washington. The period for the expected ratification was fixed for the 1st of January, 1834. The treaty was accidentally delayed on its transmission to Europe till the month of September 1833, when it arrived in Brussels. The term for ratification was prolonged, by common consent, to the 3rd March, 1835; but long before that period it was, to the great discomfiture and mortification of the American ministers, rejected by the Belgian Government at home and abroad. Want of space prevents our entering more at large into the subject of this proposed treaty. It may be enough to state, that the insertion of some insidious articles converted it into a manifesto of principles, involving the whole complicated question of maritime rights; and that it would have been, if carried into execution, much less a treaty of trade with Belgium, than a precedent for hostility against England.

The great obstacle to the realization of a solid system of commercial intercourse between this country and Belgium is to be found in the existence of those differential duties on imports and exports, adopted by the Kingdom of the Netherlands and still maintained by Belgium in a mistaken view of the interests of her navigation, against which England as well as other nations has made reprisals, not absolutely hostile, but certainly in a spirit the reverse of amicable. The consequences have been mutually injurious, but are naturally

more so to the weaker country; and there is no doubt that if the same system be persevered in, the disadvantages will increase in a direct ratio with the extension of trade. The example of the United States of America affords a striking illustration of this truth. The export trade of Belgium with that country is already considerable. From no other does Belgium draw so large a supply of raw productions for her home manufactures. This trade is daily increasing, and must of necessity be carried to an incalculable extent, when the completion of the rail-road to the Prussian frontier opens an intercourse with Germany. But the additional duty of 10 per cent., now exacted on all commodities arriving in the North American ports in Belgian ships, in retaliation for the Belgian system of differential duties, amounts to an exclusion; while American imports into Belgium are subject to a comparatively small sacrifice—the American duties on the greater part of articles furnished by Belgium varying from 20 to 50 per cent. on the value, while the Belgian duties on American productions amount, with few exceptions, to only from 3 to 4 per cent. A monstrous extension of the present injurious system of restrictions has been repeatedly proposed and supported by some members of the Belgian Legislature, who would, in manifest opposition to the general advantage, create a numerous mercantile marine, the existence of which, except on a very narrow scale indeed, may be considered as incompatible with the present interests of the country. Should the propositions which accompany this plan of forcing a mercantile marine be adopted, the inevitable result would be to drive the foreign trade to the ports of Holland, to Bremen, and to Hamburg, thus sacrificing the whole future prosperity to which the geographical position of Belgium and the construction of her rail-road to the German frontier must give rise.

The position of Belgium obviously gives her the greatest facilities of commercial transit. The trade of France in foreign productions with Switzerland and Germany is necessarily limited by the distance which separates her great ports of Havre and Bourdeaux from her eastern frontier, as well as by her system of heavy differential duties. But Belgium is placed at one of the great gates of the European continent, and she only requires

a liberal commercial policy to revive that activity which once distinguished her. Already, during the last fifteen years, she has enjoyed a great extension of commerce, chiefly from the numerous cargoes of Eastern commodities as well as West Indian and Transatlantic products, which the English and Americans have poured into the port of Antwerp, knowing that they would be received there nearly on the same footing of advantage as is granted to the national flag. It must be concluded that, were the differential duties wholly done away with in Belgium, the results would be proportionably advantageous.

The most mistaken estimate of the transit trade has, however, been formed, and is still entertained by some Belgian statesmen; and the country at large is by no means thoroughly enlightened on the question. It is erroneously considered as a mere commerce of passage, the advantages of which are confined to a small profit of commission and land carriage across the territory. But it is evident, that if the facilities of rail-road carriage be accompanied by the establishment of free transit, Germany will soon discover the advantages possessed by Antwerp over all other ports, as the channel of her commercial relations with Great Britain, the South of Europe, and all the countries of the new world. The free entrepôt of Antwerp would then probably become the great bazaar of the commercial world, realizing what Bruges is known to have been in the middle ages—the centre of an immense exchange of accumulated productions and the source of yet unimagined enterprise, the main result of which must be an immense prosperity to Belgium.

We are convinced, from minute inquiry at the best informed sources, that no real difficulty now exists for immediately concluding treaties of commerce founded on perfect reciprocity, with all the states of North and South America, Norway, Denmark, Prussia, Russia, Austria, and the Hanse towns, by which Belgian ships arriving in the ports of those countries would be assimilated to the national vessels in respect to the duties on merchandise, pilotage, and port dues, without any restriction as to the nature of their cargoes, provided that Belgium should abolish, in favour of the shipping of those countries, all the differential duties now existing in favour of her own vessels.

With Great Britain and France the formation of such treaties could not now be effected, because the existing navigation laws of both those countries present insurmountable obstacles to the admission of Belgian vessels, upon a perfect equality with their own. It is not, for instance, permitted to any Belgian vessel to introduce into an English port for the consumption of this country, any product of Asia, Africa, or America; but they may introduce for English consumption, on paying the same duties as those exacted from English vessels—*first*, all European products loaded in any Belgian port; and, *secondly*, Belgian products loaded in any foreign port. Productions of all kinds, without any restriction as to their origin, or the port at which they were loaded, are permitted to be bonded for re-exportation.

If, however, the Belgian Government were, in a spirit of rigorous reprisal, to persevere in applying those principles to its commercial relations with England, the restrictions would become so manifold that the intercourse between the countries would be completely destroyed. The consequences to Belgium would be highly disastrous; not merely to the shipping interests, but also to those branches of manufacturing industry which are mainly dependent on England for a supply of various raw materials, the produce of Asia, Africa, and America. Thus, in any well-considered and permanent treaty of commerce, which may be eventually concluded between England and Belgium, it is essential to stipulate:—

*First*,—A perfect reciprocity between the vessels of both countries on arriving at the ports of each, by which all the obnoxious distinctions of differential duties, and expenses of pilotage, lighthouses, &c., would be totally abolished.

*Secondly*,—In compensation of the restrictions imposed on the commerce of Belgian vessels with Great Britain, (to which English ships are not subject in Belgium), the duties on salt and coals imported by Belgian ships might be fixed at a lower rate than when imported by English vessels.

The modification in the tariffs of import duties, which it is desirable to introduce in the reciprocal interests of the two countries, must of course become the subject of mature

deliberation. There are, beyond doubt, several articles on which those duties might be reduced to the mutual advantage of England and Belgium, such as English tulles and many others which need not be specified here. England would, in all probability, insist on an equalisation of the duties on coals imported into Belgium both by sea and by the land frontiers. To such a proposition, or indeed any that tended to establish a perfect equalisation of duties on all articles without distinction as to their origin or the quantity imported, it is difficult to imagine any reasonable grounds of opposition on the part of Belgium.

The following is a list of Belgian products on which the import duties in England are very high, and a reduction of which would be of considerable advantage to Belgian commerce.

Linen, the duty of which is 20 per cent. on the value.

Bobbinet	„	„	30	„	„
Furniture	„	„	20	„	„
Toys	„	„	20	„	„

Besides bark, hats, nuts, linseed, rape and hemp oils, furniture, paper, apples, pears, cloves and mustard seeds, sewing silk, zinc in cakes and sheets, books, stationery, and mineral waters, which all pay high duties.

A few observations, on the actual situation of the manufactures and commerce of the country, must conclude our observations. With respect to the cotton factories of Ghent, it is, we are satisfied, undeniable that not only has a larger quantity of the raw material been worked up during the present and the four preceding years than in the four years preceding the events of 1830, when their prosperity was considered at the highest point, but that the real profits resulting from capital engaged in this manufacture are now greater than they were at that period. The vicissitudes to which capital so employed is exposed are certainly fewer now than formerly. The present extension given to those manufactories arises out of the increased attention given to the home market, which, previous to 1830, was so far from being over-supplied by native industry, that it required considerable foreign imports to meet the entire consumption of cotton stuffs in the country. To explain the increase in the consumption of raw cotton

in Belgium while the exportation of cotton goods to Java and Holland is less favoured than it was before 1830, it must be observed that the manufacturers since the revolution having been forced to greater exertion and a closer examination of their concerns, a progressive improvement in their goods has taken place, consequently new customers have arisen, and Belgium now enters into a more extensive competition in its own markets with England, Switzerland, and Germany. In addition to this evident indemnity for the loss of the export demand, it must be admitted that, in the long run, the home trade is far more advantageous to the manufacturer than any foreign market whatever. The latter may offer prospects of larger profits, but they are often very deceptive, and when realized they come round only after 6, 12, or 18 months delay ; while the sales at home are turned immediately into cash, and the operation may be repeated three, four, six, or eight times within the same period.

The iron mines, and all branches of industry connected with them, are notoriously in a more active state within the last three years than at any former period. The cloth manufactories of Verviers are equally flourishing. The coal mines of Hainault were never worked upon the same extended scale as they now are ; and when the rail-road between Antwerp and the Meuse is opened to the public, the mines around Liège and in Limbourg will have a fair field for competition. Not one half of the Belgian population employs coals at present, which are dearer than wood. But with the economy of carriage to be afforded by the railway, the greater enterprise in raising coals from the pits, and the consequent reduction of price to the consumer, there can be no doubt that wood-fuel will be almost entirely superseded, and a great extent of land, now devoted to the production of timber, will of course be made available for agriculture. The trade of Antwerp, notwithstanding the repeated assertions to the contrary made by almost every organ of the Orange party, has certainly lost nothing since 1830. It no doubt has, in many instances, changed hands ; and instead of a few great monopolists, there are now several smaller establishments in certain branches ; among those are several native houses, who, formerly satisfied with being merely dealers, buying at secondhand from foreign agents, are now directly embarked in

Indian and Transatlantic commerce. This expanded spirit of enterprise has also exhibited itself of late years in many other branches, and is every day receiving increased development. While it is established beyond doubt that the general foreign trade of Belgium is quite equal to what it was before 1830, it is true that her commercial relations with Germany are nearly annihilated, from the impossibility of competing on fair grounds with Holland, in the supply of foreign produce to that extensive country. So soon, however, as the railway to Cologne is completed, and the Belgian legislature grants a liberal law on transit, there can be little doubt that not only will the lost advantages be regained, but that they must be considerably extended, and that the Dutch will be forestalled in the supply of every commodity to the population of the German Confederation, except in the actual productions of their own colonies.

With respect to the general state of morals in Belgium, it may suffice to state, on the amply competent authority of M. Ducpétiaux, who is inspector-general of the prisons throughout the country, that it is to the full as satisfactory as it was before the revolution of 1830. It results from his ingenious comparative tables, that while crimes and offences augment in a large degree in England, and appear about stationary in France, in Belgium they have decidedly decreased, the diminution of condemnations being in the proportion of twenty-four in a hundred on crimes against the person, and fifteen in a hundred on crimes against property.

---

## ARTICLE II.

*Freydank's Bescheidenheit.* Von W. K. GRIMM. Göttingen: 8vo. 1835.

THE book which we have placed at the head of this article is one deserving of attention on many accounts: it is a record of the opinions entertained, and to a certain extent of the events witnessed, by a bold, shrewd, and humorous layman, at a time



when the great struggle between the power of the Church and the Empire was carried to the highest pitch. The writer is one of those powerful men, who, wielding equally the pen and the sword, become the chroniclers of the spirit-stirring deeds in which they have been personally engaged. He appears to have mingled boldly with the actors in the scenes themselves, to have seen with his own eyes, and heard with his own ears, while gradually laying up the lessons of worldly prudence which he was afterwards to give in a nervous and poetic form to his German brethren, and while making up his own mind upon the vital questions of belief. It was also his fortune to see clearly the difference between a religion which he adopted fervently and from profound conviction, and the mischievous abuses with which a corrupt and avaricious priesthood had burthened it: his faith would never have swerved from the standard of a rigorous orthodoxy, even though the Pope and the whole college of cardinals had stood to call him astray. He looks upon life as one well used to sift the motives of men; and with no common knowledge of our nature, he judges characters, situations, and events, in short and pithy couplets, always strong and honest, and often graced with much fancy, and happiness of expression. The title of his work, which bears a very different signification in modern German, may best be rendered by the expression *worldly-wisdom*; and this sufficiently denotes its character. It is by no means as a professed historian that Freydank claims attention; history is not his object at all; and the many and most valuable hints, which he gives of what was going on in Europe and Asia during his time, are, with one or two exceptions, introduced very much by accident, as illustrations of some general proposition; and on this very account they are perhaps the more precious. Who or what he was is very uncertain, the few scattered notices of himself, occurring in his own work, being almost the only direct sources of information which we possess respecting him: yet that he was a man of much consideration in his time as an author, is evident, from the terms of high respect in which he is mentioned by some of his contemporaries, and from the immense number of MSS. of the work which exist in every part of Germany. With all this, even his name has been called in question, and it has been imagined that Freydank (the *free thinker*) is no more than a *nom de*

guerre, under which he put forth opinions, whose boldness and freedom might have endangered him if acknowledged. In spite of the plausibility of this hypothesis (at one time, we believe, entertained even by James Grimm) we are of opinion that it is not satisfactory. In the first place, the opinions expressed are not of a nature to endanger their supporter; and, in the next place, the Church was not in a condition to revenge itself for any insult he might be construed to have put upon it: moreover, why should he have been in more danger than Guyot de Provins, or many of the troubadours his contemporaries, who still did not shrink from avowing themselves? To sum up all, under the circumstances of the times in which he lived, a far more violent attack upon the Romish hierarchy, than any which he ventured, would have been considered good service done to the emperor. Freydank is a very old German name, and is yet borne, we believe, by some families in the Briegau. His rank in life is also uncertain: more than one German poet uses the word *Herr* in reference to him, and this, if strictly construed, denotes knightly dignity, but we have reason to doubt its having been rightly applied in his case, as none of his contemporaries give any confirmation to it. The word *Meister*, by which others mention him, must be taken just as little to imply that he was one of that dull pedantic school, who fancied that they had caught the mantle of the Minne Snger, though remaining without a single spark of the genius of their precursors. The editor of his poem considers him to have been no less a man than the poet of love and war, the famous Wolfram von Eschenbach, author of *Parzival*, *Titurel*, and some of the very best *Minnelieder*. Without entering upon the arguments for and against this supposition, which would lead to a discussion of little general interest, we are free to confess that we by no means consider the fact made out. With all the admiration which we feel for Freydank's opinions and his manner of expressing them, we cannot think of comparing his style of writing with that of the knightly troubadour; and had we here space and opportunity, we think it would not be difficult to show that there are several vital points on which their views are widely different\*.

---

\* We reconcile ourselves the more readily to the omission of any further remarks upon this question, because those who may be interested in settling it, will find

Whatever may have been the rank or the name of our poet, it is certain that he attracted the notice, and experienced the liberality of Frederic the Second of the noble, gallant, and chivalrous house of the Hohenstaufen, and that he adhered to this bold and warlike, but not less magnificent and cultivated prince, throughout his quarrel with Pope Gregory IX., undeterred by the excommunication which the obstinate and hot-headed prelate launched against the first sovereign of the lay world, and which had at once terrified weaker adherents, and given a plausible pretext to many turbulent dependents for throwing off their allegiance. Under the mingled influences of devotion and of attachment to his generous master, he accompanied the emperor in his crusade (A.D. 1228) against the Saracens in Syria, sharing in all the troubles of that ineffective expedition: and it is conjectured that almost immediately after his return to Europe, in 1229, he died, without witnessing the reconciliation which took place in 1230, between the Roman and Suabian princes. Such is the meagre record of a man who must have exercised considerable influence upon the minds of his countrymen, and whose poem is one of the most interesting monuments in the history of opinion and the progress of European civilization. Before we proceed to give an account of the contents of this remarkable book, it will be desirable to cast a rapid glance over the relations between the emperor and the pope, and the general condition of Europe at the period during which Freydank wrote.

The founder of the Carlovingian dynasty found the successor of St. Peter poor, weak, and oppressed: it was his interest to exalt the influence of the first Bishop of the Christian world; he did so, and the grateful prelate eagerly authorised the submissive mayor of the palace to wield, in name as well as in fact, the authority which a degenerate Meroving had deserved to forfeit. (About A.D. 750.) Pepin had the Church on his side, because Zachary and Stephen saw very clearly that it was their interest to side with the strong Prince of the Franks, rather than with the imbecile Chilperich, whom his nobles despised as a monk, and whom his warlike mayor

---

it argued with great learning in Dr. Gervinus's *History of German Literature*, and by William Grimm himself, in the *Göttingen Gelehrte Anzeigen*, Nos. 41, 42, 43, and 46, for the current year.

of the palace kept like a bauble, to be shown to the people on high festivals, and shut up in idleness all the rest of the year. Stephen judged well, and Pepin substantially requited his good service; he stood by him with all his power, enriched him, strengthened him, and finally placed him in a situation to oppress others. This policy of the founder of the Carolings was pursued by his successor with somewhat deeper, though no less selfish objects. Charlemagne upon the death of his brother in 771, became, without regard to the pretensions of his nephews, supreme head of the *Christian* tribes of Germany: the heathen Saxons, in spite of Pepin's desolating wars, still remained independent; and in Italy the kingdom of the Lombards offered means of resistance to his plans of universal dominion. Friesland, the southern provinces of France, Bavaria, and the bordering heathens of the Slavonic race were severally overrun, and increased the power of the Frankish prince. Against the Saxons, Charlemagne had two means of proceeding: the first, and though perhaps not immediately important, yet, in process of time, most powerful and effective engine of conquest was the zeal of the Missionaries, who, for the sake of spreading the light of the gospel, braved the perils of the woods and morasses, and the still more fearful rudeness of the inhabitants of Saxony and Northalbingia. Whether much or little was accomplished by these men is of no moment; whatsoever they did was done for Charlemagne's advantage; they were supported and encouraged by the zeal of the Bishops of Rome; to him, therefore, and to them, no small privileges were conceded on the spots where their activity had been exerted. It is true, that while the land remained a field of battle in the hands of the Saxons, or a desert in those of the Franks, these grants were of no very great importance; but the time came when the land was finally and completely subdued: with a policy which we have seen renewed by autocrats of our own time, the most warlike Saxons, together with their wives and children, were dispersed over all parts of the empire, and their ancient homes occupied by the Franks\*. Then the privileges granted to the clergy in the north of Germany became valid. Charlemagne's second, and after thirty years of determined warfare,

---

\* Eginhart Annals, 804. Perz Monumenta, Vol. I., p. 191.

successful method, was main force; but resistance can hardly be said to have ever entirely ceased, and it was with absolutely astonishment that in a contemporary Chronicle we read the words *Hic annus fuit sine militia*. Against the power of the Lombards it was obviously Charlemagne's policy to strengthen himself by the establishment of a counter power, dependent indeed upon him for protection, but yet capable of resistance for a season by itself. This power, together with a most fertile nursery of pretexts for quarrels with his neighbours, Charlemagne established by declaring himself Protector of the Roman See, and by severely punishing any violence committed against St. Peter's patrimony, for so it suited the policy of the Cæsar to denominate it. Such a pretext, arising from disputes between Pope Adrian and Desiderius, cost the latter his kingdom in 774, and put an end to the independence of the Lombards. The undisputed piety of the Franks, a dull race indeed compared with the Goths, but not, like the Goths, tainted with the heresy of Arianism or semi-Arianism, showed itself in large donations of lands, rights, and immunities to the clergy. What method of supporting the Church—which we hold to be so essential and inseparable a part of the state that without a Church no state can exist—shall be found most favourable to the general prosperity of a country, it is difficult to say: but we think that it is very easy to show what is the worst possible; and this we should at once define to be, each and every method, which by giving the clergy immunities or rights, tends to place them in a different relation to the law of the land, from that under which the rest of the country stands; and to establish them as a class differing in their interests from the interests of the community, or separated in any thing but their higher character for learning and holiness. Now almost every thing that could be devised to act in contradiction to these principles was sedulously put in practice during the earlier ages of christianity in the West: struggles continued from year to year produced statutes of *mortmain*; ingenuity from year to year applied to evade such statutes, gave birth to *trusts* and *uses*, and *fin*es and *recoveries*; but from the first to the last, the Church determined to possess independent power, independent wealth, independent organization, and an independent empire—and the Church carried its point. The reigns of Charlemagne's successors

gave an admirable opportunity for any exertions to this end. Louis, whom chroniclers term the *pious*, but whom history is now beginning to stamp with the far better deserved title of the *fool*, neither understood the policy of his father, nor had strength of character to carry it into effect. Gradually throughout the empire, and thence throughout Europe, the Church established itself as a separate power, armed with unlimited authority from heaven over the consciences of men, and very richly endowed by men whose conscience knew no better means of reconciling their deeds with their duty than a repentance chiefly manifested in the establishment of religious foundations, and generally in the disgorging of ill-gotten wealth for pious uses. Every successive step in the long period during which the Church was slowly taking up this commanding position, deserves the closest attention, but cannot be treated of here: the various plans of a thousand men, a thousand accidents, a thousand different characters, came into play before the fabric was reared; and, with all the mischiefs which may have resulted, at this or that period, from the steadily progressing idea of a Church independent and a Church dominant, civilization and humanity are, up to a certain point, indebted to it for their progress nay, for their very existence. Christianity, either as doctrinal, as a rule of life, or as a matter of history, necessarily accommodates its forms, in every land, to the characters of the tribes among whom it is disseminated. The Greeks, ever splitters of hairs and wranglers about words, had a heresy for every year, and for every day of the year; while the Anglo-Saxons, the soundest and steadiest of the western tribes, were, even in the eleventh century, rejecting transubstantiation as a monstrous *novelty*, asserting the only means of salvation to be by *faith*, giving the power of the keys, not to Peter only but to all the Apostles and to all rightly-ordained bishops and priests, and spreading, as far as it could then with safety be done, the Holy Scriptures in the vulgar tongue. The Roman clergy, however, had stepped into the place of the senate, consuls, tribunes, ædiles, and augurs of ancient and pagan Rome: Rome was still to be the head of the world; that Rome, which the contemptuous mercy of the Gothic tribes had thrice spared! The prince of the Franks

was Emperor of Rome; the son of the prince of the Franks was King of Rome; the temples of the Roman gods had become chapels of the Roman saints; and from the time when the custom arose that the newly-elected prince should be crowned *King* at Aix-la-Chapelle, but *Emperor* in Rome, it became quite clear that the old name still retained a majesty and influence, which the degraded and conquered city had long since deserved to forfeit for its crimes. That the political situation of the bishop was greatly aided by this, is easily understood; to him it belonged to place the crown upon the emperor's head; and gradually the opinion spread, that none but himself could place it there. It was long, very long, before a man was found who either dared or desired to refuse this act of service; long, very long, before the insolent claim was made, not only to set it on, but take it off at pleasure. In all lands, in proportion as the zeal of the pious, the contrition of the sinful, or the gratitude of those who had benefitted by the talents of the bishops and the clergy, augmented their revenues, the relations of the churchmen to the state assumed a clearer and more definite form, and yet one which invariably carried within itself the seeds of a difficult and dangerous struggle. In Germany, after the establishment of the all-comprising feudal law, the clergy appeared as integral and important branches of the empire (*Reichstände*), some of them, indeed, with little short of the might and privileges of ducal dignity; and ducal dignity under the empire was, in many respects, something more, though in others less, than royal dignity now. The greater clergy were feudatories of the empire; after election, they received from the emperor their *investiture*, by the symbolic delivery of the cross and ring; they disposed of the *regalia* (as tolls, coinage, &c.), in their respective feuds; they took part in the election of the emperor, followed him in his wars, and, as temporal princes, very often made wars on their own account: in short, like all the greater feudatories in every land, they were bound to do service for the feud, but within the feud itself, and, the service once performed, were very nearly independent rulers. The constitution of the empire itself led to this; without tracing, from period to period, the changes by which a power was established which passed from the hands of one family to

another, until the house of Hapsburg prevailed to fix it in their own, we may notice some of the principal points in its constitution at the commencement of the twelfth century. The land of the empire was divided into the two distinguished kinds of *alod* and *feud*, *allodium*, *beneficium*. The allodial land, subject to the law of inheritance and to little besides, was chiefly in the hands of the greater nobles, whose feudal dependents a vast majority of the free men had consented, or had been compelled, to become. But all the independent possessors were capable of holding certain lands, and certain offices of the Empire itself as feuds. The great Dukedoms of Suabia, Zähringen, Bavaria, Saxony, and Austria, were feuds of the empire; and, however difficult it might be in particular cases to distinguish between the lands which were allodial and belonged to any one prince in his own right of inheritance, and those which were feudal and descended by a sort of tacit stipulation—*durante bene placito*—from the feudatory to his heirs, the attempt was sometimes rendered necessary. On the demise of one of the great Dukes of Zähringen without lineal heirs, his feuds reverted to the empire, and his *alods* went to various collateral branches of his house; but the great difficulty was to decide what was feud and what was alod. The same thing occurred in case of the felony of the feudatory: his feud lapsed, but then it became less necessary to draw distinctions, because he was usually turned out of his alod also. The holders of feuds, whether these were lands, offices, or both, were bound to do military service, to appear at the great councils or meetings of the nobles, to sit in judgment upon feudatories of the empire, to pass sentence, and execute the decree. When a great feudatory was guilty of crimes against the peace of the empire, the assembled nobles, with the Emperor in the Diet, summoned him to his answer; if he absented himself, or refused to appear, he was again summoned to another meeting, and sometimes even to a third. If he still continued contumacious, the *Ban* or curse of the empire was laid upon him, with solemn and symbolical ceremonies; his territories were given to others, his subjects were called upon to desert him, and all the princes of the empire were bound to pursue and punish their refractory brother. A few days were yet allowed for repentance and mercy; after



which fire and sword were carried into the territories of the offender, and his nearest neighbours, against whom in general every prince was engaged in hostilities, were always the first to burst upon him. But without the consent of his nobles in the Diet assembled, the emperor could not lay on the ban, or entertain any reasonable expectation of executing its provisions: if, therefore, a large proportion of the great nobles absented themselves, it was quite a sufficient hint to the sovereign that his ban would not be effective. When the emperor, under such circumstances, would not give way, and the feudatory thought it worth while to resist, a bloody civil war resulted, which often cost the emperor his life and crown; if, however, he prevailed, the refractory feudatory was irrecoverably ruined; his paternal possessions, or alod, had been wasted with fire and sword; his towns, castles, and bridges, burnt or pulled down; his vineyards and farms reduced to ashes, his people driven away or slaughtered, and his treasures confiscated, even to the uttermost farthing. His feuds had been taken from him and given to others, and even then his life and liberty were not safe; death, banishment, or bonds, awaited him, should he fall into the hands of his enemies. This state of things very naturally accounts to us for the sudden rise and fall of great families in Germany during the middle ages. We may mention, as an instructive instance, the fate of Henry Guelph, commonly called Henry the Lion, Duke of Saxony and Bavaria; this mighty nobleman, the ruler perhaps of wider lands than the European possessions of his descendants the sovereigns of England, was a near relation of the emperors of the house of Hohenstaufen, inheritor of many lordships which had belonged to the powerful Marchioness Matilda in Lombardy, closely connected with the then reigning king of England (Henry II.), in union with the Lords of Denmark, Holstein, and Ditmarsh, and undisputed master of the fierce border tribes of the Slavonians. Thus his empire extended over more than half Germany; and, in addition to the power given him by his situation, his military talents, personal courage and beauty, had rendered him one of the most distinguished and popular princes of his period. Late in the year 1175, when pressed by difficulties in Italy, Frederic I.

called upon Henry to perform the feudal services to which he was bound, by joining him with the power of Saxony and Bavaria: to refuse was high treason, but yet the Guelph refused, and continued to do so, even though Barbarossa cast himself at his feet and entreated him with tears to change his determination. Early in 1180 the emperor, having put an end to the troubles in Italy, returned, and, to the astonishment of the whole world, summoned the Guelph to render an account of his conduct. Great as Henry was, he had utterly mistaken his master; he had forgotten that he had to do with Frederic of Hohenstaufen, perhaps the greatest man that ever sat upon a European throne. After reiterated refusals to appear before the Diet, the ban was spoken against the Duke. In less than eight months, this mighty prince had not a cottage wherein to hide his head! The town of Brunswick was burnt, Bavaria given to others, Saxony ravaged, Bohemia, Sclavonia, and Denmark either detached from Henry's interests, or ruined in the field; and he himself, deposed from all his dignities, and condemned to a seven years' exile, was indebted to the intercession of France and England, for a commutation of that term into three years' absence from Germany. Such was his ruin, that it is mentioned as an act of peculiar generosity, that the party of the emperor did not lay waste the dower lands of the Duchess of Saxony.

The disposer of this power would, beyond a doubt, have been placed in a situation too dangerous to the liberties of his dependents, but for the circumstances attending his own election. The emperor was chosen by the noble families of the empire from among themselves; none was disqualified, though few could hope to obtain the honour; but warlike service, by raising a man to the command of important feuds, often laid the foundation of claims which did not stop short of empire itself. This was the case with the house of Hohenstaufen itself, which sat on the throne within three generations after its founder had merited and received the Dukedom of Suabia from the emperor of his day. But they who placed the emperor in his situation could depose him from it, if he wielded his power to the prejudice, and not the advantage of the state; and though the personal character of the emperors made an immense difference in the general situation of affairs,

yet we frequently find even the stoutest and boldest among them headed and turned in their career, by the difficulty of keeping the nobles in good humour, and by the fear of alienating those who had power to be effectively hostile. But in addition to this check upon him, existing at home, the emperor was never without causes of weakness, arising from his relations with Italy; whether, in a secular point of view, with Lombardy and the Norman kingdom of Apulia and Sicily, or the far more difficult, and as it was attempted to make it, *religious* view with respect to the Pope and the Church.

In the gradual tracing of these causes, which at last become inextricably combined, the historian finds his only clue to the labyrinthine politics of the Middle Ages; but, without a clear perception of the manner and extent of their operation, he will find great difficulty in the study of the metaphysical and poetical works of the same period, during which every one must be either Guelph or Ghibelline. We would appeal to any reader of Dante's prose and poetry, whether he will venture to gainsay our assertion. We shall attempt, as concisely as we can, to show how these causes came into operation, and in what particular manner they acted upon the general development and progress of civilisation in Europe.

While every thing in the mighty body called the empire was governed by feudal principles, it was quite impossible that the Church should make an exception; for those great ideas whose outward development and (to borrow a term from alchemy) *fixation* are laws, sweep over whole races and centuries at once; there is nothing partial in their application—they mould and bend every circumstance, and stamp every thing with their peculiar mark. Hence, during the long struggle which took place between the Emperors and Popes, it was never even insinuated that the Church ought to make an exception: the only question was, who is the Church's Feudal Lord? The Emperors argued, and, as we think, with justice, thus:—While the clergy are lords of the empire and have votes in the Diet, while they are lords of the empire, and ride about in armour, and collect tolls, and coin money, and hunt deer in their own forests, and judge as sovereign princes in cases of life and death, they must

do homage to the empire for the *Regalia*, and take investiture like all other feudatories. The Popes, on the contrary said, that Peter was to set his foot upon the neck of kings, not kings upon that of Peter: that inasmuch as the kingdom of Christ was not of this, but of a much higher world (which, by the way, included this world too), the clergy must not be subject to secular might: that, in short, the subjection implied by receiving feudal investiture from the Emperor, was an insult to the King of kings, in the person of his vicegerent the Pope, and was therefore, *ipso facto*, damnable. When brought to the closest statement, and divested of all the mass of collateral and accidental matters which were sedulously heaped around it, the question will be found to be this, and this only:—Is the Pope throughout Europe, or are the Sovereigns in their respective lands, to name and rule the clergy? Are the clergy to be in every country subject to the law of the land, and a part of the state, or are they to be an independent body, dispersed through all countries, and owing allegiance merely to the Pope?—This was the true question throughout Europe, although the settlement of it caused more trouble, perhaps, and was longer protracted in Germany than any where else; even as Germany had, in after years, the honour of being the first to burst the bonds of Papal tyranny asunder. *Investiture* with ring and staff, or cross, was, of course, a mere symbol; however many disputes were conjured up respecting the form, and however many mystical meanings were attached to it—nay, even though his holiness and his holiness's party created a *heresy* out of it, by the title of the Heresy of Investitures. As there were concurrent authorities, *viz.*, the Emperor's investiture, and the Pope's confirmation and consecration, a question of rather more practical importance was the following:—"Whether the elected prelate shall receive the Pope's confirmation or the investiture with the *Regalia* first?" If the latter, the Emperor appointed; if the former, then, of course, the appointment was the Pope's. During the eleventh century, the time was come for an assertion of independence on the part of the Pope, which had not been ventured in 962 when Otto I., after beating Berengar the Second, received the Imperial crown in Rome, and Pope John XII. submitted himself to the Emperor as his Lord and Superior. Since the period when Gregory

VII., one of the most daring men that ever sat upon the Papal throne, in pursuance of his plan of raising the clergy to a higher point of independence than had hitherto been conceived, cursed lay investitures, excommunicated married priests, and decreed Transubstantiation, many changes had taken place in the state of the controversy: yet from step to step we see the Emperors gradually losing, and the Popes gaining ground; nor does this appear surprising, when we bear in mind that the attention of the Emperors was occupied by a hundred different, and often conflicting interests; while the Popes, on the contrary, had but one object, which they unremittingly pursued, namely, the determination, not only to make themselves independent of, but also to raise themselves above, the princes of the world. With this one end steadily in view, they temporized under powerful Emperors, asserted their claims as circumstances permitted, and at length through the perseverance, clearsighted policy, and unbroken activity of Alexander III. and Innocent III., two of the most remarkable names in history, completely effected the subjugation of the Western World.

A great thought or principle is long preparing its own way before it is expressed by any one man, or in any one period: it exists energetically indeed, but undeveloped, in the feelings of all, and deals partially and with details long before it reveals itself with such clearness as to bring along with it its necessary application to every circumstance of political life. For centuries and centuries such living and yet undefined principles may exist, as for instance in the British Constitution itself, which it would be as little possible as desirable to convert into a parchment charter. When at length, a great and strong-minded man arises, imbued with the common feelings of his contemporaries, but bolder in expressing, and more comprehensive in conceiving them, he becomes the representative, and, as it were, symbol of the whole bent and calling of his time: nay more, by seeing farther into consequences, and anticipating the progress of a thought, he becomes entitled to the mighty praise of "standing upon the forehead of the times to come." Such men are the beacons and landmarks of history. The question of the struggle between the Papacy and the Empire must be looked at in this manner: in the twelfth century both parties appealed to precedents, and probably both

had precedents to appeal to ; but the opposing principles of the church and the state were what excited, guided, and embittered the opposition. In 1107 disputes had risen to such a pitch, that a formal Concordat was attempted between Henry V. and Pope Paschal II. At a meeting which took place in Chalons between the Ambassadors of the Emperor and of the Pope, the case was thus stated on the opposite sides of the question :—On the part of Henry, the Archbishop of Treves said, “ That, from time immemorial and even under Gregory the Great, it had been an imperial right that in all elections of the clergy the emperor or king should be asked whether the candidates were agreeable to him or not ; after his consent, according to the laws of the church the presentation by the people and election by the clergy were proceeded in freely, and without purchase or intimidation ; then the elected prelate received investiture with the worldly possessions, by staff and ring, and took the oaths of allegiance and fealty. After this reasonable manner alone, could any one either take or divest himself of the possession of cities, castles, margraviats, tolls, or any other imperial tenements : and if the Pope agreed to this, peace and union would continue between the state and the church, to the honour and glory of God.” Through the Bishop of Piacenza, the Pope replied,—“ The Church, which hath been set free, and loosed by the blood of Christ, may by no means be again reduced like a handmaiden to servitude ; but Christ would have died in vain if no clergyman could be elected without asking the king’s permission. To renounce investiture with ring and staff is to take God’s own goods from the altar ; and it is the Pope’s holy duty never to consent that the bloody hands of laymen should approach the body of the Lord.” In these two statements of the case, we think we can see an epitome of the whole question, and of all the collateral questions during the whole contest. The forms under which they were brought forward varied with all the various circumstances of the time ; the Pope’s and the Emperor’s personal character, the feeling of strength or consciousness of weakness on either side,—in short, a hundred apparent accidents, caused the contending parties to shift their ground continually ; but the cause of battle was throughout the same. Opinions

so opposed could be reconciled by no sort of compromise; the interests involved were far too weighty to allow the matter to be put aside undecided; and while each party felt confirmed in the belief that it had right and justice on its side, principle, as well as pride, contributed to the maintenance of the struggle. Once indeed, and once only, it seemed as if a means had been found of putting an end to all difficulties. Paschal, whom we have just mentioned, appears to have been an ardent Church Reformer, and to have desired the return of the Clergy to a state of Apostolic purity, and Apostolic poverty too. When, therefore, Henry offered to give up the ceremony of investing, if the clergy would give up possession of the lands and regalia which the ceremony of investiture conveyed, Paschal at once consented, declaring that the Church should be contented with the tithes and free gifts of the laity: and he naturally considered the independence thus gained for the Church as a vast point carried, while Henry was equally well pleased at the reversion of immense lands and rights into his own hands. But without attributing to either party a settled plan to deceive the other, we may remark that neither could have ever entertained a reasonable hope of being able to execute the provisions of this Concordat. Paschal might excommunicate, and Henry take forcible possession; but in the long run, the aggrieved clergy must inevitably be an overmatch both for the Pope and the Emperor. This, however, was never put to trial; for so strongly did both the German and Italian prelates set themselves against any such arrangement, that it was at once broken off.

From this time until the period when success crowned the efforts of Rome, and all essential opposition was broken down, history presents us with a perpetual series of troubles and disorder. Nation warring against nation, Popes imprisoned and degraded, Emperors murdered or deposed, Christendom scandalized with schism, Pope and Anti-pope hurling the thunders of excommunication at each other's heads, while heresy grew up and flourished, and a fearful depravity of life and morals gained ground amongst all classes of society; such are the pictures in the frightful phantasmagoria of these times. The Emperors warred with the sword of the flesh, and it very often seemed for a time to have cut through

all the difficulties of the problem; but the Popes warred with the sword of the flesh too, and if that failed them, they wielded the sword of the spirit: all who are at all acquainted with the writings of the twelfth century, know very well what meaning was given to the text of Scripture, in which the Lord declared two swords to be enough; and we may judge how deeply others must have felt the influence of the then popular explanation of this fact, when we find even such a man as St. Bernard countenancing and spreading it by his writings. The most potent weapon in the armoury of St. Peter was the Ban: this was in some respects like the ban of the empire in its method, as well as effect. It removed the excommunicated person from all participation in religious ceremonies, and if, as sometimes happened, a whole kingdom was placed under an interdict, it completely put a stop to all religious observances. It untied oaths of allegiance, and gave the kingdom of the excommunicated prince to another. Like the ban of the empire, it had but little effect upon the faithful, but furnished the best of all pretexts to those who were already inclined to betray their lord: thus Henry the Lion dared to make the Pope's ban his excuse for deserting Frederic Barbarossa, after he had stood by him for sixteen years, during the whole of which the ban was equally in force against him. The worldly might of the princes of the Empire rendered their ban effective: the ban of the Pope depended for its efficacy upon the religion or superstition of each particular people. Its religious effects, however, would have been more important but for the divisions among the clergy themselves: the Italian and German prelates were never firm friends; during the whole of the twelfth century, there was a continued succession of anti-Popes, mutually excommunicating one another and one another's adherents; as the clergy themselves usually took an active part in these scandalous schisms, they published and obeyed the ban *or not*, according as it suited the interests of the side they had espoused; so that, generally speaking, in Germany the ban was never very formidable. Even in England, when Innocent laid John and his kingdom under the interdict, the common people cared so little about the matter, and the barons were so



well pleased to divide the church lands and revenues among themselves (for

" Bell, book and candle shall not drive me back,  
When gold and silver beck me to come on,"

has been a very common determination of powerful laymen) that the Pope must certainly have yielded, had not Philip of France caught at the hope of humbling John by a union with the Pope, instead of joining John and the Emperor to punish the "meddling priest," who had already proved a thorn in the side of them all. But as the ban to be holy, just, and righteous, must be spoken after solemn consultation and solemn prayer, and remote even from the suspicion of proceeding from fleshly anger, it is certain that scarcely any instance of the excommunication of an Emperor by a Pope could be found universally effective; there were always quarrels enough between the parties to render the purity of the ban suspicious; and the Germans were not backward in drawing a distinction between the Pope's ban and the ban of God; Freydank, who throughout must be taken to represent the feelings of the more moderate Ghibellines of his day, says expressly upon this subject, "If any fleshly anger lurk in the ban, then it is not God's, but only the Pope's ban."

It scarcely belongs to a paper like this to enter into the details of the struggle between Germany and Italy, Ghibelline and Guelph, Emperor and Pope. Interesting as those details are (and history has none of more varied interest or of deeper importance), they would lead us into far too wide a field of discussion. We shall therefore content ourselves with a general reference to Friedrich Von Raumer's History of the House of Hohenstaufen, in which the most ample, and, as we think, philosophical account of these great struggles is given: and this will in fact be found sufficient; for, although the seeds of quarrel were sown long before 1137, (the date of Conrad the first Hohenstaufen who found himself in possession of the Imperial Crown), though they existed in the very nature of things themselves, yet the most vigorous efforts both for attack and defence were made during the reign of that one family; and it is not without a feeling of wonder that we behold the strong men who during so short a time came down

into the arena as champions on either side, until we remember not only that strong causes make strong men, but that the history of the world has yet no record of one great man existing alone in his period.

There is no doubt that at the time of which we speak, the Papal power and influence were steadily progressing towards the point desired; one concession after another had been wrung from the empire, and these were either claimed and submitted to as rights, or if refused, furnished apparently just grounds of quarrel on the part of Rome. The great German feudatories were grown so powerful, and their influence was so much increased as to menace the very constitution of the empire with ruin; in short, that body which some of the best publicists of the middle ages declare to be *Respublica* and not *Monarchia*, was fast approaching the condition in which it was finally settled by the Golden Bull, when the foundation of most of the modern kingdoms of Germany was laid. So evident is this gradual progression towards a form of policy more closely resembling our own, that before the close of the twelfth century (1195), Henry of Hohenstaufen nearly persuaded the nobles of Germany to declare the feuds *hereditary* in the actual holders, and to fix the imperial crown in his own house. Perhaps of all the princes that ever sat upon a German throne, Frederic Barbarossa was the most powerful, and yet no one more bitterly experienced the impossibility of making head against the new power which was now culminating in Europe, that power against which neither kings nor kaysers were appointed to prevail, but which the awakened intellect of Europe was in its due time to dash in sunder, at the call of Luther and Melancthon. There are two well-known incidents in Frederic's life, which we think speak more than volumes as to the exact state of affairs. We allude to the conduct of Adrian IV. on Frederic's holding the *left* stirrup for him, when he and the Emperor first met in Rome; and the still more striking event of Cardinal Rolando's (afterwards Alexander III.) embassy in 1157, where a dispute having arisen as to the meaning of the word *beneficium*, Frederic sprang up and said, "Do we then hold our crown of the Pope?" and was answered, "Of whom dost thou hold it, if not of the Pope?" It is perfectly true, that, in spite of an

overbearing tone which he at first adopted, Pope Adrian was compelled to explain all this away on finding that the German prelates were against him to a man; but the fact that such an answer could be made to such a man, is all sufficient\*.

We do not here intend to follow the various successes of the empire in its struggles against the freedom of the Lombard cities, or to show how these affected the state of the quarrel between the popes and emperors: there cannot be one of our readers to whom the name of Sismondi is not familiar; to his history of the *Italian Republics*, and to Von Raumer's *Geschichte der Hohenstaufen*, we may refer them for full information on these subjects. In fact, it seems to us that the Italian question was one of very little interest in Germany generally; the deeds of obscure burghers attracted but little attention in the courts of the powerful and the princely; and if such an accident as the rout of Legnano in 1177, where Barbarossa was signally defeated by the Lombards, recalled to their memory the strong arms which under their Herulian and Gothic forefathers, had wrested the fair plains of Northern Italy from degenerate Romans, the disgrace was soon forgotten in feuds at home and in the private quarrels which shook the empire from one boundary to the other. In the works of Freydank and others his contemporaries, one does no doubt see the traces of national hatred against *Welschland* and the *Welschen*, but these confine themselves to general accusations of unfairness in dealing, of advantages unjustly taken in loans or bargains, of usurious contracts, and the like; at the utmost, of fickleness and unsteadiness of purpose. Freydank, moreover, whenever he speaks of Italy or Italians, sees only Rome; and all his anger, wheresoever it may fall, is meant merely for the Pope and the Pope's partisans.

The claims which the successors of Barbarossa had upon the Norman Kingdom of Apulia and Sicily, and the new causes of difficulty which hence arose, might also be passed over without comment, were it not that we are desirous of going rather more into detail respecting Frederic II. of Hohenstaufen, the friend

---

\* See the account of the whole affair, which is even more instructive than amusing, in *Radevicus Frisingensis*, book V., chap. 8, 10, 22; or in *Von Raumer's Hohenstaufen*, Vol. II., p. 79, &c.

and protector of Freybank, and the hero of some portions of his work. It is therefore necessary to take up the history of the Empire and of the Church a few years previous to the birth of this prince, in order to follow him through a career as wonderful and romantic as ever entered the imagination of a poet. Frederic Barbarossa's son, Henry VI., had in spite of the opposition of Pope Urban III. married Constantia, daughter and heiress of William of Sicily; and from this union, on the 26th of September 1194, Frederic the Second was born. But in spite of this marriage, successive claimants had arisen under the protection of Urban, Clement III. and Celestine III., so that it was only in the same year 1194 that the kingdom of Apulia and Sicily was subdued, and fairly in Henry's possession. It was on occasion of this conquest that Celestine excommunicated Henry; and immediately after it the Emperor made the attempt already noticed, to render the *feuds* hereditary. But although this did not succeed, the princes of the empire made no difficulty in accepting the infant Frederic for the King of Rome, and successor of his father (1195). On the 29th of September 1197 Henry died in the flower of his age; and on the 8th of January 1198 Pope Celestine was succeeded on the Papal throne by Innocent III.

The situation of the infant Frederic, at the death of his father, was most unpromising. By right of inheritance he was indeed King of Sicily; but then Sicily was subject to a fierce and turbulent military aristocracy, the descendants of the Norman conquerors: the people, a mixture of many races, Greek, Latin, Norman, and Saracen, were ill-disposed to obey the mongrel and uncertain laws by which they were ruled, and were moreover constantly excited into furious outbreaks in favour of one party or other of the nobles; for there were no less bitter quarrels between the Sicilian holders of the feuds of their native land, than between them collectively and the intrusive Germans. Constantia, the king's mother and regent of the realm, though a strong-minded woman, was but a woman; and to crown all, Innocent was prepared to claim and conquer church rights which lay dormant under Frederic I. and Conrad, but woke actively enough into being on the happy occasion of Frederic II.'s minority. On the other hand, by the acceptance of the noble houses, Frederic was

king of Germany: but this was even a more precarious situation than the other; the warlike princes of the empire were little likely to submit themselves patiently to a rule, which seemed at variance with the spirit, if not the letter of the imperial constitution. The empire, they might say, requires a head, and therefore a prince is chosen to direct its affairs; but what can a child do, and moreover a foreign child, a Sicilian baby, who cannot keep even that trifling kingdom in quiet? When a great emperor brings up a full-grown son to the management of affairs under his own eye, communicates his plans to him, and educates him to support the weight of the diadem, then we perhaps make little scruple of naming him to succeed: but this frail twig of a noble stem may be snapped in an instant. That this sort of reasoning was fair, cannot we think be doubted; and, fair or not fair, many reasons existed to make it seem so: the most important of these was the claim which any of the princely houses might make to the empire, and the hope of being elected in the place of the rejected child. Under circumstances the most favourable to the Hohenstaufen, *viz.* the election of a regent to direct the empire during the years of Frederic's minority, there was always the danger of the regent's refusal to surrender his trust. Add to all this, that many of the German princes looked with great suspicion upon the union of Apulia and Sicily with the empire in one person; and this was, as has been said, quite contrary to the views of all the Papal party. Immediately upon Conrad's death in 1197, a number of the German princes combined to raise Berthold of Zähringen to the throne; but Philip of Suabia, Frederic's uncle, having stepped forward to assert his nephew's claims, and having literally bought off the opposition of the duke, was made regent of the empire. The questionable character of a regency seems however to have been felt by all parties, and in the following year, at a great meeting of the estates, Philip was raised to the throne; although, at the same time, a powerful party of the nobles hostile to the Hohenstaufen elected Otto the Guelph of Brunswick to the imperial dignity: bloody wars of course resulted between the Welf and Waiblinger interests. We have already observed that a disputed succession in Germany was always a favourable opportunity for the

**Pope:** during the wars which resulted, many steps might be ventured on which would have been resisted in a time of peace and of steady government, and these afterwards served as precedents for the establishment of customary claims; or what was still better, one of the competitors, in order to secure the favour of the church and to fight with the ban of the Pope on his side, would sign and seal to immense concessions, afterwards to be demanded as chartered rights. Under the least favourable circumstances, it was almost impossible but that in their character of warlike and temporal princes, the prelates should draw down upon themselves or their lands some act of violence which afterwards served as a pretext for a quarrel, whenever his holiness found it convenient to pick one: all these things combined render it easy to see why the successor of St. Peter was always very fond of fishing in troubled waters.

No sooner was Innocent informed of Conrad's death, than he proceeded to enforce with a high hand the Papal claims upon Apulia and Sicily; the election of certain bishops gave him a convenient pretext; Markwald, Seneschal of the empire, was excommunicated, and all oaths made to him were declared void: in the course of 1198, such was Innocent's success, that Conrad of Lutzelnhart, Duke of Spoleto, was completely beaten out of Italy; and Spoleto, Reate, Assisi, Foligno, Nocera, Perugia, Radikofani, Aquapendente, and Montefiascone, became dependent upon Innocent, already established in full authority throughout Tuscany. During the same year Constantia caused Frederic to be crowned king in Palermo: on this occasion she declared for him the determination of keeping the kingdom of Sicily distinct from the empire, and protested against their union. The Pope carried the equally important points of investing Frederic with Sicily as a feud of the Roman see, of exacting from him homage, an oath of allegiance and a yearly tribute, and of totally annihilating all those rights of the king over church affairs, which had been solemnly guaranteed to the crown by Adrian IV. and Clement. Finally, upon the death of Constantia in the same year, he was by her appointed guardian to her infant son. Although the Germans, with Markwald at their head, opposed this arrangement, and severe struggles ensued, Innocent finally carried the point. During 1199 and 1200, the war between Otto of

Brunswick and Philip of Suabia had been carried on with the utmost vigour, and the Pope, cunningly withholding his countenance from both, or by turns appearing inclined to decide for this or that party, continued to gain great concessions from the empire. At length in 1201, Otto having offered a mighty bribe, Philip and his adherents were solemnly excommunicated. The price paid by Otto for this act of papal favour was substantially the following: Otto engaged to *his Lord the Pope*, and to his successors in the see, to maintain with all his might the possessions, rights, privileges, and dignities of the church of Rome. He ceded, and engaged to secure to the see, peaceable possession of all the lands which it had recently obtained; and further bound himself to win back for the Pontiff all that yet remained in opposition to his authority. He moreover engaged to his Lord the Pope, and his successors, to stand by him in the maintenance and protection of the Sicilian kingdom, and to pay all honour and obedience to the Church, which pious and orthodox emperors had been wont to pay. He pledged himself to act by the advice and under the direction of the Pope, in the settlement of the affairs of Lombardy and Tuscany; and to follow the same in the treaty of peace to be entered into with France: in case of the see of Rome becoming involved in war, he engaged to bear his share of the burthen; and all these stipulations he pledged himself to confirm by oath and in writing, as soon as he received the imperial crown. The ambassadors of the Pope, in their delight at having secured such vast concessions, easily flattered themselves that Otto's success, the contingency upon which all this treaty depended for efficacy, was not far distant. They wrote to the Pope, representing Philip's situation as desperate; and his holiness, in the full conviction of the truth of their statement, espoused the cause of Otto. We can imagine that he must have received as a thunder-clap the powerful and spirited remonstrance of Philip's friends, a document signed by all, or nearly all, of the following mighty princes: The Archbishops of Salzburg, Magdeburg, and Bremen; the Bishops of Worms, Passau, Regensburg, Constanz, Augsburg, Eichstädt, Havelberg, Brandenburg, Meissen, Naumberg, and Bamberg; the Abbots of Fulda, Hersfeld, and Kempten; the King of Bohemia; the Dukes of Bavaria, Saxony, Austria,

Styria, Meran, and Zähringen; the Stadholder of Burgundy (Otto, Philip's brother); the Landgrave of Thüringen; the Margraves of Mähren, Meissen, and Brandenburg; the Counts of Orlamünde, Somerschenburg, Brenen, and Wettin! How astounded must his holiness have been to find that besides many other princes of the empire, Philip Augustus of France also supported the Hohenstaufen! The success of such a confederation as this might readily be augured, and although Otto maintained himself for a while, yet in 1206 he received so fatal an overthrow that he considered himself most fortunate in escaping with three attendants from the field of his ruin! This triumph brought Innocent III. to his senses, and in spite of Otto's continued, though unavailing endeavours to prevent a reconciliation between the Pope and Emperor, this event took place, and on the 30th of November 1207 Philip and his adherents were solemnly released from the ban. There still remained some points of dispute between Philip and Innocent, but despite of these the emperor was so powerful that Otto was cut off from all hope, and the mighty house of Guelph seemed on the point of going to the ground, when, in June 1208, the marvellous news was spread abroad, that Philip had been murdered by the Palatine Otto of Wittelsbach! But Innocent and Otto the Guelph now saw that it was every way their interest to avoid a new election: many princes of the empire, weary of war and confusion, adopted their views, and the friends of the Hohenstaufen had neither influence to raise a new branch of the family to the throne, or to turn attention to Frederic, who was quite lost sight of in Sicily.

In the year 1209, Otto the Guelph (Otto IV.) was betrothed to Beatrix of Hohenstaufen, daughter of Otto of Hohenstaufen, Duke of Burgundy, and niece of Philip; but the celebration of the marriage did not take place till 1212, and three days after it Beatrix died. The terrible feuds which had grown up in Italy as well as Germany, during the war of the succession, now raged with redoubled fury in Lombardy: the Salinguerras, Azzos, and Ezzelina, had converted that paradise of Europe into a waste of devastation, and its flourishing cities into heaps of smoking ruins. To put an end to these horrors, Otto crossed the Brenner with an army; and after having overrun, and for a season pacified the north of Italy, was crowned



Emperor in Rome on the 27th of September, 1209. But a very short time sufficed to put an end to the friendship between the Pope and Emperor: no sooner was Otto settled with his army in the Papal States, than he began to act in a manner which convinced Innocent that he had not the slightest intention of abiding by the stipulations of 1201. In January 1210, for example, Azzo of Este (a Guelph, and distant relation of the emperor) received, as a feud from his hand, Ancona, Ascoli, Firmo, Camerino, Osimo, Sinigaglia, Fano, Pesaro, Fossombrone, with all the imperial rights and privileges, as fully as they had of old been held by Markwald. Perhaps as Azzo was friendly to the Papal interests, Innocent might have taken no notice of these steps; but, in addition to these, Otto made no sort of show of intending to give up the possessions of the Marchioness Matilda; proceeded to hostilities against the Papal city of Viterbo; would not consent to the new arrangements by which Tuscany had become, in a worldly sense, dependent upon the Pope; invested Salinguerra with Argelata and Medicina, and Diepholt (an old and strenuous opponent of Innocent) with the Dukedom of Spoleto; and finally did not even affect to conceal his intention of laying violent hands upon the kingdom of Apulia. In spite of all the warnings and remonstrances of Innocent, Otto set forth upon this undertaking, and before the close of the year 1210, all Apulia, save the city of Aquino, had fallen into his hands, and the Saracens of Sicily had already invited him to take possession of the island. Innocent however wanted neither means of opposition, nor courage to use them; in the November of 1210, he banned Otto and released his subjects from their allegiance. In spite however of this bold proceeding, Innocent felt that he had a difficult game to play. Otto was a powerful sovereign, and moreover at the head of a victorious force, which might at a moment's notice be brought to beleaguer the city. There was no German prince to whom the opposition could well be entrusted, or who would have been induced to commence it; and Frederic of Hohenstaufen, in addition to the fact of his being a boy of sixteen years only, had already given evidence of a determination to tread in the steps of his forefathers, as far as regarded the Church. What, under these circumstances,

might have been accomplished by negotiation, was however neglected by Otto, who, in pride of strength and self-confidence, rejected all attempt at reconciliation. The history of his native land offered him instances enough of struggles successfully conducted by emperors even against the ban of the Pope: the lives of Frederic I., and of his own opponent Philip, were evidence that it might be combated: but one thing deceived Otto here—he forgot that he had neither the character of the one nor of the other. Frederic we have sufficiently spoken of already; Philip had maintained himself in the affections of his partisans, by a mildness, generosity, and imaginative gentleness of disposition, which, though it showed itself in every one of the illustrious princes of his house, was never surpassed by any, and which in him as in all, was wonderfully combined with activity, determination, and steadiness of purpose. Otto, on the contrary, was harsh and rude in his manners, and had alienated the affections of a most influential portion of his subjects by ill-timed remarks upon the wealth and pomp of the clergy, and an intention, expressed even if never executed, of laying on some very unpopular taxes. The princes moreover had come to pretty much the same conclusion as Otto himself, with regard to the stipulations of 1201, *viz.*—that they were ruinous to the empire; and, though he alone bore all the blame of having entered into them, yet his refusal to act up to them no less rendered him guilty of perjury. In 1210, Germany already began to waver; in the spring of 1211, Archbishop Siegfried of Mayence, Archbishop Albert of Magdeburg, Ottocar King of Bohemia, and Hermann Landgrave of Thuringen, together with other important persons, commenced open hostilities; and although these were confined to the usual burning, plundering, and slaughtering of the baronial wars of the middle ages, and did not rise into any thing like a fearful opposition, yet the situation of affairs rendered them of weight, by turning attention upon him in whose name the discontented professed to act. The Dukes of Zähringen and Bavaria, and the Archbishop of Treves, if not openly leagued against Otto, were not active for him, and Philip of France, his old foe, declared open war. Under these circumstances, the opponents of Otto, having selected Henry of Neuffen and Anselm of Justingen,

two tried and true retainers of the house of Hohenstaufen, sent to the young king at Palermo, and bid him come with all speed to Germany, and place upon his head the imperial crown of his forefathers. But the news of the troubles in Germany had already reached Otto, who showed neither want of decision nor courage on the occasion : by forced marches he returned to Germany, held two great meetings of the estates, on the 20th of March and 20th of May 1212, in which he found himself strong enough to assert the rights of the empire against the Pope, to depose Ottocar of Bohemia, and decree a war of desolation against Thüringen ; and, on the 7th of August celebrated in great pomp his nuptials with Beatrix of Hohenstaufen. Meanwhile, the adherents of the young King of Sicily could hear no news of his determination ; and his delay strengthened daily the hands of his adversary. Many might even doubt his courage to undertake the perils of the journey and the struggle, and believe, that, following the advice of his Sicilian counsellors, he would renounce the uncertain honour of the empire, and content himself with the paternal kingdom, the management of which promised to require all his energies. They little knew Frederic of Hohenstaufen ! They little knew that in the breast of the young, beautiful, and, as it was thought, pleasure-loving boy, the deepest, boldest plans were matured ; or what courage, adventure, and decision, tempered and guided by much painful experience, inspired the noblest representative of that noblest house ! On Palm Sunday, 18th March 1212, Frederic sailed from Palermo ; in April he was in Rome, arranging with the Pope and Cardinals the important affairs in which he was now called to engage ; in May he reached Genoa, received the submission of its inhabitants, and stayed to secure new adherents among the princes of Italy ; on the 15th of July he left Genoa, passed through Asti and Montferrat, and reached Pavia in safety. Leaving Pavia in the night, in order to escape the pursuit of the Milanese, the hereditary foes of his house, he reached and crossed the Lambro, just as his enemies appeared upon the opposite bank. Through Cremona and Mantua, Frederic now hastened to Verona, and from hence he rapidly reached the foot of the mountains : then leaving the high roads, he crossed the Alps by passes known only to the mountaineers,

and suddenly appeared at Coire, where he was received as king by Bishop Arnold, and welcomed by Ulric VI., the powerful Abbot of St. Gall: under the guidance of this prelate he proceeded to Constan<sup>z</sup>; but with what astonishment did they not learn, by the way, that at the first news of Frederic's expedition the emperor had put a stop to the war in Thuringen, that he had traversed Germany by hasty marches, and was now with 200 knights in Ueberlingen, upon the further shore of the lake of Constan<sup>z</sup>: nay, more, that his commissaries were already in Constan<sup>z</sup>, to provide food and lodging for his company. Frederic had but sixty men with him, but his determination was taken: he hurried on to Constan<sup>z</sup>; his eloquence, seconded by that of Ulric, decided the wavering bishop and burghers of the place, and three hours later when Otto arrived before the city, he found the gates shut against him, his plans overturned, and his opponent in security!

Down the Rhine hastened the "Apulian Boy." On the 26th of September he had collected around him, at Basle, the bishops of Trent, Basle, Constan<sup>z</sup>, and Coire, many abbots, and lay nobles; among them, the counts of Kiburg, Habsburg, Freiburg, Hohenburg and Rappersweil: princes and people flocked to his standard; Bavaria, Alsace, Brisgau, and Suabia, acknowledged him. On the 19th of November, in a personal conference with the Dauphin at Vaucouleurs, he renewed the friendly relations of the houses of France and Suabia: and in the Diets held at Mayence and Frankfort, in December 1212 and January 1213, almost all the princes of Germany acknowledged him for their lord! So completely, indeed, had he prevailed, that, after arranging the affairs of Alsace and his own duchy of Suabia, he was able to pursue and hem in his adversary, even in his paternal territories of Brunswick! Yet here Otto might long have maintained himself as a formidable opponent, had he been content to unite his strength, and turn his thoughts to the real point of danger. Instead of this, with a madness scarcely conceivable, he declared war against Philip of France, and led an army into Flanders. On the 27th of July 1214 Philip Augustus and the Emperor came in sight of one another at Bouvines, and after a fierce and bloody battle, the French, despite of their smaller number,

obtained a complete victory. Otto IV., his army ruined, and his life with great difficulty saved, escaped almost alone to Cologne. But here the extravagant conduct of his empress, and his own increasing debts, roused the burghers against him: the princely couple slunk in disguise out of the city, which, enraged at their evasion, yielded itself up to Frederic. This prince, victorious on every point, was solemnly crowned King at Aix la Chapelle, on the 25th of July 1215, by Archbishop Siegfried of Mayence, and the glory of the House of Hohenstaufen once more rose and bloomed aloft!

The day after his coronation, Frederic, being one-and-twenty years old, solemnly engaged to put himself at the head of a crusade against the Saracens, for the recovery of the holy city; and this determination was rewarded by the warm blessing of Honorius III., who by the successful career of the young Hohenstaufen saw a haughty enemy humbled, and a favourite pupil raised to the highest pitch of earthly power. Honorius, besides an enthusiastic determination to devote every energy to the one point of stirring up the princes of Europe to assume the Cross, had especial reasons of his own for desiring that Frederic should be one of the crusaders; so certain it is, that even together with the highest and noblest feelings will grow up some of the creeping suckers of selfishness. Whatever might hitherto have been Frederic's gentleness or submission, whether as King of Sicily or as Pretender to the empire, Honorius had no reason to trust him, if any attempt should be made upon what would be considered as the ancient rights and liberties of the empire.

Peignez chien, lavez chien,  
'Toute fois n'est chien que chien!

Contains a truth of at least as general application as any that is conveyed by a proverb: and whatever Honorius may have hoped to effect upon the mind of Frederic during his guardianship, occasions had not been wanting on which the young and high-spirited prince had given decided evidence of belonging to the blood of Barbarossa. To prevent the development and execution of views which would have interfered in no small degree with his own projects upon Sicily, Honorius strained every nerve to get Frederic out of Europe as fast as he could; but Frederic

saw very clearly that his presence in Europe was more necessary to its peace than his leading the army of the Cross; and, though he firmly determined to go to Palestine, he seems to have been no less decided to go only at his own time. It may be doubted whether the crusade was popular in Europe at this period. England, crippled by the wars between Henry III. and his barons, and France, weakened by the death of Philip Augustus (A. D. 1223), certainly appear to have taken but little part in the preparations made. Spain, whether through poverty or disinclination, contributed but little aid in money, and still less in fighting men: Italy could never furnish any very important contingent; and in Germany, opinions seem to have been much divided. Frederic had therefore very good excuse for the continual delays which he threw in the way of the expedition; and though Honorius, year after year, entered into stipulations with him respecting his setting out, and wrote him admonitory, encouraging, and sometimes even upbraiding letters, the Emperor continued his own course in quiet, and temporized in his diplomatic relations with Rome.

That the see and the empire were of one accord during the first years of Frederic's reign, is by no means asserted. In 1220, when Henry, Frederic's infant son, was chosen King by the German princes, the German prelates and the Emperor came to an understanding on several points of dispute, which was anything but pleasing to the Pope; but here Honorius gave way: the affairs of Sicily, and the independent manner in which Frederic filled, or did not fill up vacant bishopricks, were all causes of great heartburning, and, to crown all, the Emperor's apparent unwillingness to fulfil the engagements he had made as to the crusade justified much of Honorius' bitter feeling. A series of letters passed between the parties, which clearly display a great desire to preserve amicable relations, but yet the most obstinate adherence on either side to the views with which they set out; and we can hardly look upon the continued mention of the crusade as any thing more than a decent pretext to veil other active causes of bitterness. At length, in the year 1225, a definitive treaty was signed at San Germano, between the Pope and Emperor, the principal provisions of which were as follows: Frederic engages to set out upon the crusade on or before the year 1227, and to maintain a thousand knights in Palestine for two years: for every one

wanting of this number, the Emperor incurs a fine of fifty marks, which shall be applied to the benefit of the holy war. The Emperor furnishes, moreover, one hundred and fifty ships, in order to transport two thousand knights, their personal attendants, and three horses for each, free of expense to Syria. Should the number of crusaders fall short of this, or from any other cause, the ships not be used, the Emperor shall pay whatever money is thus spared, for the benefit of the expedition. He shall moreover deposit 100,000 ounces of gold, at four different periods, in the hands of the Patriarch of Jerusalem, the King of Jerusalem, and the Grand Master of the Teutonic Order, to be returned in case he sets out upon the expedition within the appointed time; but if not, or in the event of his death, to remain for public uses in the hands of the three trustees. To these stipulations Frederic shall swear, and in the event of his failing in all or any one of them, he shall without further delay, be—*ipso facto*—under the ban; which shall however be taken off, as soon as satisfaction is made by removal of the cause of complaint.

The two years gained by the Emperor were spent in arranging the affairs of Germany, thrown into confusion by the murder of Engelbert of Cologne, regent of the empire, and in pacifying the turbulent nobles and cities of Apulia; and though mutual grievances existed between Honorius and Frederic, they never led to any thing more serious than a long correspondence. On the 20th of March 1227, Honorius being dead, Cardinal Ugolino was raised to the papacy under the title of Gregory IX., and immediately reminded Frederic of his engagements. We have said already that Frederic never meant to shrink from them, and new reasons existed for rendering the crusade rather a favourite scheme with him; for upon the death of his first consort, a princess of Spain, he had married Iolante daughter of John of Jerusalem, and as in addition to his other titles he now called himself king of that city, he in all probability seriously contemplated extending his rule over the provinces of Syria. According to his engagement, in the year 1227 he took ship, but falling of a sudden extremely sick, he returned within three days to Sicily, and was immediately banned by the Pope\*. In

---

\* See the Document in *Von Raumer*, III., p. 421.

spite of the Emperor's remonstrances, Gregory repeated the ban on the 12th of November, and the Christmas-Day of the same year; and to show the spirit which animated him, forbade under pain of excommunication, all the nobles and princes of Sicily from helping Frederic either with men or money in his continued preparations for the crusade,—that very crusade for not accomplishing which he had excommunicated the Emperor! On the 28th of March 1228 Gregory again published the ban at Rome; but such was the indignation excited by his conduct, that the citizens rose *en masse* against him, and compelled him to take refuge at Perugia. In despite of all the hostility of the Pope, Frederic persevered, and on the 11th of August 1228 set sail for the Holy Land, reaching Acre on the 8th of September. It is quite impossible to speak with indignation enough of the folly, arrogance, and obstinacy of Gregory. No sooner did he hear of Frederic's departure, than he again cursed him, and went so far as to command the Patriarch of Jerusalem, and the military orders of the Templars and Hospitallers, to give the Emperor no assistance. On his arrival in Syria, Frederic found himself deserted by all except the Germans and the men of Pisa and Genoa; exposed to all the difficulties of a situation most dangerous, even under the best circumstances, deserted, conspired against, and thwarted by those who should have supported and obeyed him, Frederic conducted himself in a manner worthy of the House from which he sprung: he pressed forward, threw himself between Jerusalem and the Sultan al Kameel, and induced partly by the impossibility of making the rebellious Italians available, and partly by gratitude for the chivalrous act of the Mahometan, who revealed to him a plan of the *Templars* to kill or capture and deliver him into the hands of the Saracens, he entered into a treaty with the Sultan and proceeded to Jerusalem.

Whatever may be said of the matter, the treaty was most favourable to the Christians, and its provisions would never have been obtained by force; it secured, above all, the peaceable possession of the city to the Christians, and provided for a long-continued cessation of hostilities; but it did not involve the cutting the throats of all the Mahometans, and therefore many of the Christians were displeased and disap-



pointed by it. When Frederic had taken possession of Jerusalem, and though himself not present out of respect for the ban, had ordered the celebration of a great thanksgiving to the Almighty, the patriarch Gerolt laid the holy city under an interdict, and forbade any religious observance to be attempted. Not satisfied with this infamous proceeding, he despatched to Europe a letter\* bitterly inveighing against Frederic, but of which every line reveals the malice, vanity, and arrogance of the writer; yet it injured Frederic's character in the West, and served to justify the Pope in some of the acts of violence upon which he ventured. In 1229 Gregory preached a crusade against the Emperor, then conducting the warriors of the cross to the recovery of Jerusalem. The Papal troops, blessed, sanctified, and marked on the shoulder with St. Peter's keys, overran the kingdom of Naples, in spite of the resistance made by that prince's faithful officers. Great appeared the triumph, and infinite was the pride and self gratulation of his Holiness; when all at once, to the astonishment and terror of all his party, the news arrived, that Frederic of Hohenstaufen had landed in Italy! A short time served to clear his dominions of the Pope's key-bearers; and so humbled were the ambitious views of Gregory, that he was glad to come to a speedy agreement with the Emperor, and to effect a reconciliation. The preliminaries being settled on the 28th of August 1230, the ban was taken off, and the peace of Europe restored by the second treaty of San Germano.

We shall now only delay introducing our readers to some portions of Freydank's poem which have more immediate reference to the history of his times, to terminate what we have already said of Frederic the Second with a few more remarks upon his personal character. He was of great personal beauty and strength, nor less active mentally than bodily. Fond of art, of magnificence, of all that is princely, he yet in no respect sacrificed the good of his subjects to his tastes; in spite of his royal establishment, his splendour, his buildings, his religious and other wars, his taxes seem to have been little heavier than those of his predecessors, and from the improvement in the manner of their collection, were not felt to be so oppressive. Among the great deeds by which this sovereign

\* *Vid. Mat. Paris*, p. 247, fol. ed.

deserves to be placed in the rank of the noblest benefactors to their respective countries, must be reckoned the reform which he introduced into the code of barbarous, contradictory, mixed, and confused laws, which before his time prevailed in Sicily; under him, obligations and rights became better defined and settled; the law gained strength, and the power of individuals was curtailed; agriculture, manufactures, and commerce flourished; and for German and Provençal poetry the time of Frederic II. is the age of gold. Himself a poet, his praises are unanimously sung by the Troubadours and the Minnesänger; his encouragement of genius in every case which fell under his observation, is the theme of constant and enthusiastic praise. To add another and a singular title to all the rest, Frederic was no mean naturalist, and a work written by him on hawking, contains as much interesting information concerning the peculiar habits of the falcon, as is to be found in any book in existence. "Who, that in his time  
 " looked upon the flourishing condition of the empire, the  
 " state of law, of mental cultivation and of art, had not gladly  
 " shared in the hope, that like all which is good and beautiful,  
 " this condition of things carried also along with itself the  
 " pledge of its continuance?" (*Von Raumer*, III. p. 578.) The pledge of its continuance! Alas! does it not seem like the *irony* of an inexorable and inevitable fate, that within a century, the last descendant of this glorious house, Conradin, the young, the brave, the beautiful; Conradin, the lover and the poet of love; Conradin of Hohenstaufen, the king of Sicily, should lay down his head upon a scaffold in his own capital, beneath the axe of the Frenchman!

Freydank's poem is divided into chapters, each of which treats of a different subject. The court, the camp, the monastery, the guard-house, all send their representatives to the meeting of various classes and characters which he describes: even the Virtues and Vices have their place, and a good proportion of theology testifies to the strict orthodoxy of the writer. As we mean to give our readers a few pungent couplets respecting Rome, we hasten to assure them that the work contains a bitter chapter against Heretics, be they Jews, or the still more hated sects of Catharists, Albigenses, and the like; and that almost the only culpable weakness of his time in

which Freydank shares, is the barbarous triumph which he expresses in narrating the sufferings of these sectaries. That he was sharp-sighted enough will, we think, appear from the following observation respecting astrologers :

There's many a man in stars will see,  
And tell what wonders there there be :  
Let him tell me a nearer thing,  
What weeds in his own garden spring :  
If this he'll tell me to the letter,  
In that I'll trust him all the better !

This prudence of the 13th century almost cries shame upon the 15th. Another specimen of our author shall be his remarks upon the "holy men" of his time :

Of many a man 'twas told to me  
How he lived in great sanctity,  
But when I saw him, straight I knew  
He was a man, as I am too !

In one of the legends respecting Luther, it is said that going to Rome an enthusiastic Roman Catholic he was so shocked with what he saw as to doubt, and finally to protest. Freydank observes similarly :

Who sees the Romish customs right  
Believes no better for the sight.  
Romish Saint and Romish sway  
Are scorned alike by priest and lay !  
Obedience, ban, and curse, the same,  
All men break and feel no shame.  
God grant to th' general good't may lead,  
But *bans* in Rome are cheap indeed ;  
And whoso wanteth perjury,  
Good penny-worths in Rome finds he !

All the floods of treasure rush to Rome, says Freydank, and they all stay there, and yet the place is never full, "*it is a most unhappy hole !*" The ancient lords of Rome have fallen :

Where are they now, whose once Rome was ?  
Within their palaces grows grass !  
Be warned ye princes hence, and know  
What praise ye'll have when ye're laid low !

Once Rome was the mistress of the world, but her knavery and sin have made her the slave of all, and the contempt of all ! As to the Pope, he is only powerful among those who neither see nor know him :

The Pope's a very God on earth,  
Yet he's the Romans' scorn and mirth;  
In Rome the Pope's dominion's weak,  
In foreign lands his might go seek;  
His court would waste enough appear,  
Had he not foreign fools to shear!

**And after all the Pope is a man, and a sinful man to boot :**

Now if his holiness be a man,  
Nor art nor power prevent it can,  
But that in man's wise he must live :  
He may a good example give,  
He may give bad example too !  
God grant he still the best may do !  
Who says the Pope can do no wrong,  
Lies in his throat ! The Pope is strong,  
And being strong, why, if he will,  
He has power enough to do all ill !

**Repentance is necessary to salvation ; the Pope can no doubt absolve a penitent, but he can do no more ; that is, he can accept his repentance, and having warned him to make restitution where he hath done wrong, the Pope may console him by remitting his sin : but,**

There's none our sin hath power to shrive,  
Save only God ! Towards him we'll strive !  
It well becomes the ass's grace,  
The ox's trespass to efface !  
And fools such absolution praise,  
As one fool o'er another says.

**The Pope cannot release me from a bond, or debt even ; how can he unconditionally clear me from such weightier bonds, as those of my sin ?**

Could but the Pope once set me free  
From my own debts, security  
Or surety would I seek no other,  
But stick to him, as to my brother !  
The Pope would have a pleasant right,  
Without repentance, sins to quite,  
But then all Christendom should stone  
His holiness, if one alone,  
One single Christian mother's son  
In Hell he left to be undone !

**Saint Peter took a different course from that followed by Saint Peter's vicar :**

Once to a place St. Peter came,  
Where asked for alms a beggar lame :  
Now hear ye what St. Peter said,  
When there he saw the sick man laid ;

' Silver and gold are strange to me,  
 ' But what I have that give I thee : '  
 And that at once he gave to him ;  
 ' Stand up, be whole of life and limb ! '  
 If thus the Pope his treasure spent,  
 All Christendom were well content.

St. Peter was a man indeed,  
 And God him bade his sheep to feed,  
 His sheep he did not bid him shear,  
 But shearing's all that's practised here.

To Rome there never came the net  
 With which St. Peter fish would get ;  
 For Peter's tackle no one cares,  
 The holy Roman net ensnares  
 Silver and gold, and realm and city :  
 St. Peter was not half so witty.

In a similar tone, with as much bitterness, and as much wit, Freydank's contemporary, Reinmar von Zweter (Min S. 2. 148), says : " If all this can take place in God's name, St. Peter ought to be ashamed of himself, that it was not the fashion " in his time."

We cannot spare time to pursue Freydank and his views of the Papacy any further, any more than his account of Acre and the proceedings in Syria : but a few words remain to be said respecting the work in general. It appears to be a complex of philosophy, moral and natural, and of theology such as a layman could master. Its 53 chapters are almost unconnected, and have no regular order ; those of God, of the Ave Maria, of the mass, of the soul of man, of the Jews, of the Heretics, of Usury, come as properly into the collection as the chapters on pride, service, wealth, habits of animals, the Pope, the city of Acre, the two swords, and Antichrist. But under each of these various heads the author collects all that refers to the particular subject of it, and consequently his work abounds not less in shrewd remarks of his own, than in popular proverbs and traditional expressions which can be traced through hundreds of books in the middle ages, and which really seem to belong to, and form part of, the mass of hoarded wisdom, among the nations of the North. A portion of these expressions has been collected and traced by the editor among the introductory matter to his book. And to that learned individual it now only remains that we should pay our tribute of approval and congratulation,

for the manner in which he has executed the task of forming, illustrating, and annotating his text; from the immense mass of MSS. of all dates, and of very different comparative value, William Grimm has composed this complete, and to us most satisfactory text of his author: an appendix at the end contains every various reading: the preface and introduction enter deeply into the historical, philosophical, biographical, and bibliographical matters connected with the work, and a copious body of notes serves to explain some difficulties in the language and the thoughts.

---

ARTICLE III.

*Histoire Politique et Militaire de la Révolution Polonaise pendant les Années 1830 et 1831.* Par RICHARD OLTON SPAZIER. Paris: 1834.

*La Pologne. Précis Historique, Politique et Militaire, de sa Révolution.* Par Le COMTE ROMAN SOLTYK. Paris: 1833.

*La Guerre de la Pologne en 1831.* Par MARIE BRZOWSKI. Leipzig: 1833.

*The People of Russia and the Policy of England.* London: 1836.

*Report of the Fourth Annual Meeting of the Friends of Poland.* London: 1836.

*MSS. Papers of the Literary Association of the Friends of Poland.*

THE rising of Warsaw in 1830, may be attributed to a fervent feeling of patriotism, which calculated neither the chances of success nor the consequences of disaster, rather than to any well-digested plan for the overthrow of Russian despotism, or the establishment of Polish liberty. Undoubtedly, the bitter sense of wrong occasioned by the repeated violations of the constitutional charter—the reign of terror and persecution which marked the government of the ferocious Constantine—the recent examples of France and Belgium, and the conquest achieved by their people of political freedom—roused the slumbering energies of the country, and kindled that inextinguishable love of national independence, which the recollections of ten centuries have deeply implanted in the mind of every

Pole. But notwithstanding their attachment to constitutional liberty, and the sympathy naturally excited by the successful exertions of the friends of freedom elsewhere, the ruling passion of the Poles was the emancipation of their native land. They did not combat to establish an abstract principle, or to maintain a fanciful theory of government. They took up arms to resent injuries which had become unsupportable, and to restore, if possible, their country to its place in the family of nations. The revolution thus commenced by a few, soon became a national contest against a foreign oppressor—it was in the hearts of all before it was in the heads of any—and it was emphatically a continuation of the immortal struggle in which Kosciuszko and PONIATOWSKI fought and bled.

In the autumn of 1830, some pupils of the university assembled at a *soirée* in Warsaw, gave several toasts in honour of the men most distinguished in the history of their country. The warm-hearted youths drank, with especial enthusiasm, to the memory of Kosciuszko. The spies\* of the Grand Duke Constantine were not slow in bringing him intelligence of the heinous offence. A commission was forthwith appointed to inquire into it, and to punish the delinquents; but whether sensible of the ridiculous task imposed upon them, or touched by some unwonted feeling of humanity, the Russian commissioners made a vague and inconclusive report upon which Constantine found it impossible to act. Two field officers were then charged with a second investigation, but the result was again unsatisfactory. Constantine who cherished a cowardly and unmanly hatred of the Students of the university and of the military schools, then, of his own authority, and in defiance of the reports which in fact amounted to an acquittal, ordered a severe and degrading punishment to be inflicted on some of the young men, and threw others into prison.

That dread of anarchy, which urges a people to bear much before it trusts to the uncertain chances of a revolution, had hitherto rendered the great mass of the nation apparently apathetic and immovable, notwithstanding the wrongs heaped upon it by the Muscovite authorities. But for an alleged

---

\* The Grand Duke employed so many spies, that their salaries amounted to 6000 Polish florins, or about 150*l.* sterling, a day.

crime, which at the utmost was an indiscretion, and in the opinion of many evinced a noble and praiseworthy patriotism, to see the high-spirited youths of the university—the very pride and bloom of the land—lashed like condemned felons, or consigned to the dungeon of the criminal,—galled the public mind past endurance. The brimming cup of bitterness overflowed, and the time for action had arrived.

It was in the evening of the 29th of November 1830, that some Students of the military schools and of the university, with a few civilians, proceeded by different paths to the Park of Lazienki, and concealed themselves in the adjoining thickets near the bridge of Sobieski. The statue of the deliverer of Vienna and of Christendom, which adorned the bridge, seemed to preside over their enterprise, and they waited with throbbing hearts for the appointed time. An accidental circumstance caused some delay, but at length the blaze of the brewery, the signal agreed upon, burst through the surrounding darkness and became distinctly visible. Peter Wysocki, one of the confederates, immediately rushed into the room where the Polish Ensigns were listening to their evening lecture, and exclaimed, "Poles! the hour of vengeance has struck—this night we vanquish or die!" Of one hundred and eighty Ensigns who were present, only seven were in the secret of the intended insurrection—but the appeal was understood by all, and in one enthusiastic shout the cry of "to arms," burst from the meeting. Lieutenant Nyko their lecturer headed the Ensigns. The civilians being unarmed, provided themselves with weapons at the Russian school of Ensigns, who consented to remain neutral. The confederates then separated into two parties. A few Students of the university, with some Ensigns (in all twelve in number), proceeded from the bridge of Sobieski to the Palace of Belvedere, the residence of Constantine, while the remainder, amounting to about a hundred and sixty, endeavoured, by an attack on the Russian barracks situated in the Park of Lazienki, and between that place and Warsaw, to divert the attention of the troops from the party at the Palace. The shots fired by the confederates at different places, as signals for the double attack on the Palace and on the barracks—the darkness of the night, and the doubt which prevailed as to the number of the assailants and the extent of the



insurrection—excited a general feeling of alarm, which was soon increased by the heavy firing of the troops, the less regular musketry of the Poles, and the shouts of the excited Students and Ensigns. While columns of the Russian cavalry, recovered from their surprise, might be seen gathering in the gloom, and hastening to form themselves in dense and regular masses under their officers.

In the mean time the party of twelve which had proceeded towards the Palace, soon reached its destination. The sentinels, struck by terror or secretly inclined to the cause of the Poles, offered no resistance, and with the cry of "*Nabielak* \*"—"*Death to the Tyrant*," the gates of the Palace were passed, the confederates penetrated into the court-yard, and forcing the doors with the butt-ends of their muskets, found themselves within the very lair of their mortal enemy, who at this hour according to his custom was asleep. The Russian general Gendre endeavoured to oppose the progress of the youthful confederates, but he was borne down at the point of the bayonet and killed. Lubowidzki the Vice President of Warsaw who joined him, was severely wounded. It is probable that Constantine would have paid the forfeit of his life to the just indignation and excited passions of the young men, in whose power he might now be considered, had it not been for one of those accidents†, which we can hardly lament, as it perhaps saved the confederates from the reproach of inflicting a summary though well-earned punishment on their tyrant.

It was the Grand Duke's custom to sleep with a valet in waiting at the door of his chamber, and such was the severity exercised by him even towards his domestic attendants, that the person who filled this post was never permitted, under pain of immediate punishment, to enter his sleeping apartment until summoned by an appointed signal. The valet was in attendance when the Students broke into the Palace and heard the tumultuous attack; but the force of habit and the dread of the knout prevailed over his sense of duty or supposed affection towards his master. He did not awake the Grand

---

\* "*Nabielak*," the name of the leader of the party.

† This statement, we are aware, does not exactly correspond with any of the published accounts, but our authority is a distinguished Polish officer at that time on the Grand Duke's Staff.

Duke. Yet dreading the danger of the affray which seemed rapidly approaching, he locked the door of the chamber in which his master slept, and hurried down a steep and retired flight of stairs, which communicated with the Duchess's apartments in the wing of the Palace. The impetuous Students in their search for the Grand Duke, passed the door which the valet had just abandoned, and rushed down the same stairs into the court-yard below ; but ignorant of the interior of the Palace, and of the situation of the room in which the object of their search and of their vengeance lay concealed, they were foiled in their endeavours to discover him.

Finding a longer stay at Belvedere with their limited numbers too hazardous an experiment—a detachment of Russian cavalry having been actually sent to cut off their retreat—the youthful band rejoined their comrades at the Bridge of Sobieski. These in the meantime had augmented their ranks to about two hundred, by calling on the School of Non-Commissioned Officers to join them. The call was promptly acceded to, and was immediately followed by a combined attack on the barracks of the Russian lancers of the guard, who were thrown into a confusion from which they did not recover, till a regiment of hussars and another of cuirassiers came to their assistance. The confederates now found themselves in an open and exposed situation, in front of three regiments of cavalry who threatened them with an immediate attack, and who every moment expected further reinforcements. They were obliged therefore to seek a more favourable position, and retreated deeper into the Park of Lazienki.

This Park extends from the gardens and pleasure grounds of the Palace Belvedere to the Vistula. As it approaches the river it assumes a broken and marshy character. It is intersected at intervals with reservoirs of water, canals (over one of which the Bridge of Sobieski is built) communicating with the Vistula, and it is also covered with plantations and trees of a large growth. No place could be better adapted for the operations of a body of infantry opposing an attack of cavalry, and the Ensigns, in selecting it, proved that the instructions of their lecturer had not been thrown away upon them. Protecting themselves as much as possible by the entangled nature of the ground and favoured by the darkness of the night, they

hastily formed their small force into a hollow square, and resolutely awaited the attack of the Russian guards. They did not wait long. The cuirassiers immediately charged in columns ; but the front line of the students received the troopers on their bayonets, while the rear ranks poured in a destructive volley, which speedily emptied fifty saddles of their riders. Surprised by the steady resistance they encountered—perplexed by the irregularities of the ground and the darkness of the night—dismayed by the unwonted shout of “ *Niech Zycie Polska*,” “ Poland for ever,” which, within the very precincts of the palace, rose high and loud over the din of the combat—the soldiers wavered—fell into disorder—and eventually fled to their barracks.

The confederates now moved towards Warsaw. They were encountered at Uyasdow on their road to the Capital by the regiment of lancers ; and at the entrance of Warsaw, in a quarter of the town, which from being recently built bears the name of the “ New World,” by the hussars. Still favoured by the darkness of the night and the ignorance of the enemy as to their numbers, they boldly attacked and dispersed both these regiments notwithstanding their great superiority of force. The troops then retreated towards Belvedere and their youthful conquerors entered Warsaw. “ These brilliant actions,” we must repeat with M. Brozowski, “ in which three complete regiments of “ the cavalry of the guards were defeated by two hundred “ sub-officers and students, deserve the most prominent place “ in the annals of military heroism. They also gave the “ Russians a foretaste of the war which was about to commence, and an earnest of what Polish valour was capable of “ performing in the sacred cause of national liberty.”

On entering the Capital of their country after the events of which we have given but a feeble sketch, the confederates were forcibly impressed with the difficulty of their position. The danger which hung over them was imminent, and the heavy responsibilities which attached to their proceedings were painfully apparent. They were isolated as it were from society. On the one hand they had offended their Muscovite rulers past all hope of forgiveness. On the other their countrymen had not openly joined them. The contrast too between the

events in which they had just been busy actors, and the scenes they now beheld, was very striking. An hour had not elapsed since they were engaged in a deadly struggle with the Russian guards. The ringing of the arms of the cuirassiers—the heavy tread of their horses as they rushed to the charge—the shouts and the firing of their own party—still seemed present with the minuteness of reality. But all before them bore the character of peace and of repose. Several of the mansions of the nobility and wealthier classes were lighted for evening soirées—the theatres were open, and crowded—the trader was closing his shop for the night, and the lower orders plied with wonted industry the thousand occupations, which mark the humbler citizen of a large and populous community. A few only of the inhabitants retired to their houses and waited with anxiety the course of events. They were either in the confidence of the confederates, or from living in the quarter of the city nearest to the Palace, were alarmed by the unusual appearance of fires in the horizon, the dropping shots in the distance, and the less equivocal sounds of a hostile encounter as the combatants approached.

It was absolutely and urgently necessary to dispel the apathy which thus prevailed throughout Warsaw. To accomplish this the confederates dispersed themselves in every direction, with the cry of “to arms”—“to arms!” One rushed into the “Théâtre des Variétés” and exclaimed, “Poles! ye amuse yourselves while the Russians massacre your brethren!” another immediately followed, crying “Men to arms—to arms”—“the women to their homes!” The play-house was abandoned immediately. The alarm spread in every direction. Groups of people soon appeared in the streets looking and asking for arms. They were directed to the arsenal. It was attacked and taken. Its contents, upwards of 30,000 stand of arms, were distributed among the inhabitants\*. The people thus armed directed their course to the state prison of the Carmelites—the Polish Bastille—where many languished for alleged political crimes. Its inmates were soon released, and

---

\* The Russians subsequently made an attempt to retake the arsenal with a regiment of guards, but it was repulsed with some loss.

the victims of Constantine's tyranny, who for months had suffered confinement, privation, and torture, again enjoyed the blessings of freedom.

The Polish troops composing the garrison of Warsaw, were as little prepared as the citizens for the momentous events of that night. The intended insurrection was known only to some lieutenants, and other sub-officers, who could not be supposed to exercise much personal influence over their regiments. An appeal therefore was made to the national feelings of the army. Such an appeal had ever been successful when addressed to Polish troops, and in the present instance it was not made in vain. The 4th regiment of the line was the first that declared in favour of the national cause. It had frequently attracted the attention and praises of the Grand Duke by its high discipline and military bearing, and it now added another claim to his admiration—that of devoted patriotism. The example it set was quickly followed by a corps of flying artillery, with their battery of field-pieces. A large portion of the grenadiers, and a battalion of sappers and miners were not slow to follow; and in cases where the officers seemed to hesitate or to distrust their men, the soldiers exclaimed, "We care not for consequences—lead us, if you please—if not, we join our countrymen without you." Many obnoxious officers fell in the tumultuous proceedings which ensued. Amongst them was General Hauke, Minister of War, a ready tool of Constantine's capricious will; and the hateful General Blomer, who fell pierced with eighteen bullets. The Russian General Sass the chief of the Secret Police, and several of the detested Corps of Spies, were also killed in the partial encounters which took place. Unfortunately many meritorious and honourable men were sacrificed with the guilty.

Several Polish officers of distinction, influenced by a high and chivalrous but exaggerated feeling of honour, considered that their military reputation would be tarnished, if they joined their countrymen in disregard of their oath of allegiance to the Muscovite Government—to that government which had violated every principle of honour and good faith in its intercourse with the Poles. The able generals Trem-

bicki and Siemiontkowski, and the well-known patriot Potocki, fell victims to this overstrained sense of duty. The latter was implored by the confederates on their knees to join them, but he was inexorable; and it became impossible to save him from the fate which overtook those who adhered to the Russians. Deplorable as these losses were, it must be remarked that no revolution of equal extent and importance, was ever accomplished with so little bloodshed. Of the Russians not more than ninety were killed; and although several of the Poles were wounded, none had fallen on the patriotic side.

The night appeared long, and until the morning dawned the hopes and fears of the confederates alternately prevailed. They felt, however, that the enemy had been vanquished, and a calm and steady devotion to the cause of their country, had already superseded the excitement and enthusiasm of the first hours of action. When day at last appeared, it found the Poles and Russians standing to their arms and facing each other—the Poles in possession of the Capital of their country—the Polish eagle flying on the ramparts—and the Russians but a short distance from its precincts.

Our space will not permit us to describe or discuss the arrangements made to carry on the provisional government, nor can we do more than lament the grievous error committed in retaining any of the members of the Russian administration in office. For the details of these proceedings we must refer our readers to the works which we have placed at the head of this article. The people seemed to care but little about the government. They paraded the streets in armed groups, anxiously, and as it were instinctively, inquiring who was to be the commander of the army, for on him it was evident the destinies of Poland depended. General Pac\* consented to take the command till General Chlopicki, the superiority of whose military talents was acknowledged, should have been prevailed to accept the arduous post. Pursuant to orders issued by the municipality of Warsaw the National Guard was organized. The Students of the university formed themselves into a separate corps called

---

\* General Pac died last year at Smyrna. His immense estates have been confiscated and given to Russian generals. His only daughter is in a convent at Rome.

the Honorary Guard, of which Dr. Szyrma\*, the professor of moral philosophy, was elected commander.

At a time when the police had ceased to exist, the Honorary Guard rendered important services in maintaining public order. Warsaw was indebted to these noble and enthusiastic youths, for its tranquillity during the first days of the revolution. When necessary they restrained the excesses of the people, and in some instances disarmed them. In the performance of these duties they bivouacked day and night in the streets, and sent their patrols in every direction. They also sent detachments into the country, and established the authority of the national government in the provincial towns. By their exertions the Russian eagles were everywhere displaced, and the Polish substituted for them. The military Students began the revolution, but the Students of the university may be said to have perfected it. Not only the pupils of the university of Warsaw, but those of Cracow and other places, with their masters of arts, joined the Honorary Guard. It soon mustered twelve hundred infantry and eighty cavalry, and throughout the country it was the terror of the anarchist, while it excited the enthusiastic love and admiration of the patriotic and well-disposed.

The Grand Duke soon abandoned all intention of attacking Warsaw, and transferred his head-quarters to Wierzbna, at a distance of two leagues from the Capital. He did not, however, so readily give up the hope of quelling the insurrection, by the assistance of the Polish troops dispersed throughout the provinces. He was soon undeceived. The Fortress of Modlin surrendered to Colonel Kicki and Count Ladislas Zamoyski, at the head of a Polish battalion and sixty horsemen of the Honorary Guard. Its Russian garrison laid down their arms; and what was of still greater importance, immense

---

\* Dr. Szyrma was a Student in Edinburgh in 1821. While in that city, he published, in English, "Letters, Literary and Political, on Poland and other Slavonic nations." On his return to Poland, he wrote his "Reminiscences of England and Scotland," in Polish, in 3 vols. He also compiled an English and Polish Dictionary, and endeavoured by every means to diffuse a knowledge of English amongst his countrymen. He is now a refugee in England.

stores of ammunition, which had been collected for the campaign against France, fell into the hands of the captors. The Polish general Szembek, amongst the first, joined the national cause from the provinces. His brigade entered Warsaw singing the prohibited, and to Russian ears, the hateful song of "*Poland is not lost.*" Skrzynecki with his regiment came from Pultusk, and news were daily received of the accession of other corps to the national banners.

Constantine now plainly perceived, that even his personal safety depended upon opening negotiations with the provisional government. He therefore intimated a desire to hear the wishes and complaints of the Poles. On the 2nd of December, a deputation consisting of Prince Czartoryski, Prince Lubecki, Count Ostrowski, and Lelewel, proceeded to the Russian camp.

Pursuant to their instructions they demanded,—

*First*,—The maintenance of the CONSTITUTION, as it was granted in the year 1815, and afterwards solemnly sworn to by the Emperor.

*Secondly*,—The inviolability of the Polish territory.

*Thirdly*,—The withdrawal of the Russo-Lithuanian corps stationed near Bialystock and Brzesc.

*Fourthly*,—The fulfilment of the promises made by the Emperor Alexander, of uniting all the ancient Polish provinces with the kingdom of Poland.

The deputation also desired to know whether any orders had been sent to Russia for reinforcements.

The interview lasted four hours, and the Princess Lowicz, the consort of Constantine, took part in the discussions which arose. The deputation was assured that no orders had been sent for reinforcements; but the very mention of the *Constitution* put the Grand Duke in a violent rage, and he arrogantly asked, "Who shall dare to interfere between my "Brother and the Constitution?" To the other demands he gave evasive replies; but he consented to an exchange of prisoners of war, and promised to give forty-eight hours notice, should he attack Warsaw. He also stated his intention of mediating with his Imperial Brother for the "Guilty."—"There "are no *guilty* amongst us," said Ladislas Ostrowski leaning on his sabre, and the deputation departed. On the following day the Grand Duke commenced his retreat, passed the Vistula



at Pulawy, and the frontier at Wlodawa. Previously to his departure he issued the following proclamation :—

“ I grant permission to the Polish troops, who remained faithful to the last moment, to join their comrades. I am setting out with the Imperial troops to the capital, and I hope, from Polish good faith, that they will not be harassed in their progress towards the frontiers. I likewise recommend the public establishments, the security of property and of individuals, to the protection of the Polish nation, and by so doing I place them under a safeguard the most sacred.

(Signed) “CONSTANTINE.”

Some discussion has been raised as to the propriety of allowing Constantine and the Russian troops to depart. These troops amounted to 8,000 men, and they had with them twenty-four pieces of cannon. A barbarous and subtle enemy knew well how to appeal to the romantic feelings of honour which influence the Poles on such occasions; but we have no hesitation in condemning the provisional government for permitting the Grand Duke to leave Poland with this force, and we conceive that the law of nations permitted, as public justice and common prudence demanded, that Constantine and his soldiers should be retained as prisoners of war. At all events, the Russian troops should have been disarmed, and their arms would have been an important acquisition for the national cause.

That every constitutional means of obtaining redress might be exhausted, Prince Lubecki and Count Jezierski were sent to Petersburg to submit the grievances of the Poles to the Emperor, and to obtain, if possible, such concessions as would render an appeal to arms unnecessary. The terms they were directed to insist upon, were similar to those proposed by the deputation to Constantine, and they were particularly instructed to demand the withdrawal of the Russian troops from the Polish provinces.

Envoys were also sent to Vienna, Berlin, Paris, and London. It was assumed that these powers, as parties to the treaty of Vienna, would maintain the constitutional rights of the Poles; and the interests of Europe seemed to require that the aggressive proceedings of Russia should be checked. From the justice of the two German courts—both of which had been principal actors in the infamous partition of their country—the Poles did not expect much; but they hoped that their

jealousy of the growing power of Russia might exercise a salutary influence upon their policy. They were deceived. At Vienna the *Court* was favourably disposed towards their cause, but *Metternich* was opposed to it. At Berlin, on the contrary, the ministers were more tractable, but the King and the Court were slavishly prostrate before Russia. The ambition of the Czar and the spears of the Cossacks were feared, but the progress of freedom and the success of liberal principles, were, in the opinion of the absolutists, fraught with infinitely greater danger.

The mission to France was for the purpose of obtaining an armed intervention. The French government professed an inclination to interfere if England would co-operate, but Lord Palmerston would not even admit the Polish envoy in London, the Marquis Wielopolski, nor his successor the venerable poet Niemcewicz, into his presence. In vain did General Lafayette in the French Chamber of Deputies, and Colonel Evans in the British House of Commons, raise their voices in favour of Poland. In France, a narrow and a selfish system of foreign policy already commenced, rendered the appeal fruitless; and in England, those public men who fifteen years before, declared that the rights and the independence of nations were involved in the question of Polish independence, turned a deaf ear to the supplications of this gallant people struggling with its gigantic enemy.

As had been foreseen, the Emperor Nicolas refused to recognise the deputation or to negotiate with "rebels," as he falsely denominated the Poles. The Prince Lubecki being admitted in his private capacity, and having alluded to measures of conciliation as the best means of re-establishing confidence, the Emperor abruptly said, "I will send the Marshal" "he will restore quiet," and broke up the conference\*. All their efforts to negotiate having failed, the Poles felt that they had nothing to hope from their oppressor. Even under these untoward circumstances their dauntless courage did not forsake them. They seized their arms and prepared for the unequal contest.

---

\* "Je roulerai la Pologne, et je passerai le Rhin," was, at this time, a favourite saying of the Autocrat. He has performed the first part of the threat—may he not yet accomplish the second?

In the mean time the Diet assembled. No new elections preceded its meeting and none were deemed necessary. Its members were Poles and of course patriots. Neither the power nor the corruption of Russia had been able to taint the character, or subdue the independence of the Polish representative. Count Ladislas Ostrowski was unanimously elected speaker of the Diet, and supported by his friends took his place in the chair. The first important act of the Diet was a declaration of the *national* character of the revolution. The second the establishment of a Dictatorship. General Chlopicki was named Dictator, but this power was not confided to him without restrictions. A committee of fifteen, chosen jointly by the Chamber of Deputies and the Senate, was appointed to watch his conduct with the right to require explanations, and in extreme cases with the power of deposing him. In the general exercise of his functions, full confidence was, however, placed in the Dictator; his duty being in fact to take care, "*ne quid detrimenti respublica capiat.*"

These arrangements being completed, the Diet broke up its sittings, and the Polish senators proceeded in a body to labour at the fortifications of Praga. The example did not fail to produce its effect on the rest of the population. All classes of the inhabitants—the master and the servant—the professor and his pupils—Priests and Jews—the aged and the young—might be seen in motley groups on the ramparts digging side by side. Patriotism levelled all differences. The distinctions of rank—the prejudices of race—the conflict of opinions disappeared under its influence. Poland exhibited the picture of a large family and her children were governed by one feeling.

"One day," says Dr. Spazier, "an assembly of upwards of one hundred women and young girls were seen traversing the streets of Warsaw with spades, singing the national songs of their country. They were villagers going to labour at the fortifications of Praga. The cortège was headed by a virgin, dressed in white. In her hands she bore a banner, with some patriotic lines inscribed upon it, and she was followed by the principal matrons of the village. A respectable Polish lady, the Countess Zaleska, and her grand-daughters, closed the train."

Such was the state of public feeling, and all eyes were directed to the Dictator Chlopicki, whom the people had accustomed themselves to look upon as the future liberator of

his country, when this extraordinary individual tendered his resignation—an act which was not only considered a public calamity, but which, under existing circumstances, appeared almost tantamount to treachery. The only explanation given of this proceeding, was the expectation the Dictator had entertained of the negotiations with Nicolas being successful, and the fastidious sense of military honour, which urged him not to violate his oath of fidelity to the Emperor, when it was fully ascertained that these negotiations had failed. Yet after resigning the supreme command, he fought as a volunteer against the Russians, and by his advice was instrumental in destroying thousands of the Emperor's troops!

In this emergency the Diet immediately assembled. Its first step was the formation of a new Provisional Government of five members. Prince Adam Czartoryski was elected President, and the other members were Vincent Niemojowski\*, Morawski, Barzykowski, and Lelewel. Prince Michael Radziwil was elected commander-in-chief, and Chlopicki, after some hesitation, consented to support him with his military experience and advice.

Both sides now prepared for action.

The Russian army brought into the field against the Poles, under Marshal Diebitch, was composed of the following troops† :—

Infantry, 98 battalions, of 750 men each .....	72,750
Cavalry, 157 squadrons, of 150 men each .....	23,550
Artillery, 396 field pieces and battering cannon, } 20 artillerymen to each gun.....	7,920
Cossacks, 11 regiments, of 400 men each.....	4,400
Reserve, commissariat, waggon train, hospital, } staff, &c. &c. ....	2,000
	<hr/>
	110,620
	<hr/>

Captain Frankland estimated the total of Diebitch's army at 130,000 men‡. The Russians themselves at 200,000, as they always exaggerate the number of their troops at the commencement of a campaign. After the several defeats they

\* Niemojowski died last year at Moscow, on his road to Siberia as an Exile.

† Soltyk, Vol. I., pp. 260—272.

‡ Narrative of a Visit to the Courts of Russia and Sweden, in 1830 and 1831.

experienced in Poland, they reduced the number below the Polish estimate.

To oppose this force the Poles assembled the following troops :—

Infantry, 13 regiments, with four battalions, of 800 } men in each regiment.....	41,600
Cavalry, nine regiments, with five squadrons, of 200 } men in each regiment, and two squadrons of carabineers .....	9,400
Artillery, 126 field-pieces, with 20 artillerymen } to each gun.....	2,520
Reserve, commissariat, waggon train, &c. ....	1,000
New levies of infantry .....	2,500
Three battalions of riflemen, and light cavalry ....	1,500
	<hr/> 58,520 <hr/>

The effective strength of the Polish army, brought into the field against the Russians, at no time, however, exceeded 44,000 men\*. Upwards of 14,000 having been stationed in the provinces, or employed to garrison the fortresses of Modlin and Zamosc.

The whole Eastern frontier of the Kingdom now swarmed with Russian Troops. On the 5th of February 1831, Prince Szachowskoy entered the Palatinate of Augustowo, General Kreutz that of Lublin, and the remainder of the army followed in eight divisions, all advancing on lines of march which converged towards Warsaw as a common centre. Prince Radziwil and Chlopicki felt that to endeavour to cover so extensive a frontier, with so small an army as the Polish, would, by dispersing their force, ensure immediate defeat and destruction. WARSAW, therefore, with its Vistula, its fortifications, and its surrounding plains, was chosen as the place where the chief struggle was to be made.

With reference to this plan, the whole of the active army was divided into four principal divisions of infantry, under the command of KRUKOWIECKI, ZYMIRSKI, SKRZYNECKI, and SZEMBEK. The cavalry under WEISSENHOF was divided into three divisions.

---

\* The Poles could have brought an army four times as numerous into the field, but arms not men were wanting. They never had more than 60,000 muskets! yet *one* immense room in the Tower of London, we are told by a recent writer, contains 200,000, "most tastefully and conveniently arranged, "and in perfect order." Would that half the contents of that room had been transferred to Poland!



Warsaw 8. de Juin 1806



The division of Krukowiecki amounted to 10,000 men and formed the left wing of the Polish army. It was opposed to a Russian division under Prince Szachowskoy, and Manderstein. The second division under Zymirski, of 8000 men, and the third division under Skrzynecki, of 9000 men, constituted the centre, and faced the centre of the Russian army under the immediate command of Diebitch, supported by Generals Rosen, Pahlen, and Whit. The Grand Duke Constantine led the Russian reserve of 25,000 men. In the rear of the Polish centre, the fourth division under Szembek, amounting to 9000 men, formed a reserve. Its head quarters were not further advanced than Okuniew, at three Polish miles (about fifteen English) from Warsaw. General Dwernicki, with a corps of 7000 men on the right wing, had the Russian Generals Geismar and Kreutz in his front. These dispositions being completed, all possible precautions were taken to prevent the army being cut off from the Capital, and General Szembek had orders to reinforce the weaker points in case of need.

The first shot fired was on the river Liwiec, the passage of which was disputed by a single Polish battalion with two field pieces for a whole day, though attacked by a Russian corps with twelve cannon. The enemy then seemed to overrun the kingdom like a deluge, and General Kreutz, after crossing the Vistula near Pulawy, pushed his advanced guard as far as Radom. On the other hand, General Dwernicki at the head of his corps with six pieces of cannon, surprised and routed the Russians at STOCZEK, with a loss of eleven cannon, 600 killed, and 230 prisoners. The Poles suffered comparatively but little. This brilliant and successful action diffused a feeling of confidence throughout the Polish army, as the victory was gained over Geismar, one of the most distinguished Generals of the Turkish war.

During the retreat of the Polish army on Warsaw, in pursuance of the general plan of operations, several engagements took place which reflected honour on the Polish arms. The chief were the actions at DOBRE, OKUNIEW, and WAWR, and of these the most important was fought on the 20th of February, in the celebrated Alder-Wood. The possession of this wood was obstinately disputed by the Poles and the Russians at the point of the bayonet. The loss on both sides was very great, and



several of the Russian regiments were reduced to single battalions. The Poles remained masters of the ground, and the Alder-Wood\* was occupied by the centre of the Polish army.

The enemy was now within sight of Warsaw, and from the elevated ground on the west bank of the Vistula the position of either army could be distinctly traced. At the termination of an extensive plain, and at the distance of a league from the Capital, the Polish army lay encamped—its centre overshadowed by the celebrated Alder-Wood—while the Russian tents were seen in the distance, scattered along the skirts of an extensive pine forest, which partly concealed their force.

On the eve of the battle of Grochow, the Russians were ranged in double lines along the edge of this forest. Count Pahlen commanded the right wing and General Rozen the left of their army. A numerous cavalry under General Witt occupied the hills and plains towards the village of Zombki, reaching as far as Prince Szachowskoy's corps, in order to facilitate his junction with Diebitch. The reserve under Constantine had not yet reached the main body. The elevated site on which the Russian army stood, made its position in some respects an advantageous one; but the marshy and uneven ground, intersected with ditches and covered with brush wood in front, rendered an advance a very difficult movement.

The division of Zymirski occupied the Alder-Wood, and this position constituted at once the centre and the most advanced point of the Polish army. Szembek's division on the right, extended from Grochow to the Morass Saska Kempa, leaning upon a stream which empties itself into the Vistula. The cavalry, in two corps, was under the command of Lubienski and Uminski. The former acted as a reserve for Szembek and Skrzynecki; the latter, on the left, maintained the communication between the main army and the corps of Krukowiecki at Bialolenka. To the above force must be added three regiments of recruits, who for want of muskets were armed with scythes, and a part of the National Guard

---

\* In consequence of the severe fighting which took place on this occasion, and at the battle of Grochow in the Alder-Wood, it has received the name of the "Bloody Forest."

of Warsaw, who were employed in carrying the wounded from the field of battle.

On the morning of the 25th of February, Krukowiecki attacked and defeated at Bialolenka, the Russian corps of Prince Szachowskoy, composed of 15,000 men and 50 pieces of cannon, but could not prevent its subsequent junction with Diebitch. So soon as the Imperial Field-Marshal was informed of this attack he issued orders for a general action. At nine o'clock in the morning the first cannon was heard from the Russian lines—it was the signal for battle—and was immediately answered by the Polish artillery. The strength of the Poles was the Alder-Wood. It screened all their movements. No effectual advance could be made by the enemy while it remained in their possession. Diebitch determined therefore to carry it at any sacrifice. The 24th division—the corps of Rosen—was destined for this service. It plunged into the thicket but almost disappeared under the bayonets of the Polish troops. Diebitch finding the resistance offered so desperate, continued to send fresh reinforcements till the number of Russians engaged amounted to twenty-five battalions, and the Poles were forced from one part of the wood.

The Ex-Dictator Chlopicki viewed this retrograde movement with lively dissatisfaction, and sent orders to Zymirski on no account to abandon the post. In vain did the Polish General plead the exhaustion of his men. "Tell him," said the veteran, "to hold it with his teeth." The 4th and the 8th regiments, under Boguslawski, were however sent to relieve Roland's brigade, which had suffered most severely; the brigade of Czyzewski alone maintaining its position. These gallant regiments on reaching the wood rushed to the charge. The Russians could not withstand the onset, and the Poles once more became masters of the disputed ground.

The grape-shot of the Polish artillery had made lamentable havoc, not only in the ranks of the enemy, but in the wood itself. Scarcely a tree had escaped injury, and many were entirely cut down. The wood presented the appearance of a field of corn after a heavy hail storm; and under its torn and entangled branches—from the dying and the dead—oozed the mingled stream of life which flowed from the free-man and the slave.

" Rider and Horse—Friend, Foe—in one red burial  
blent."

Diebitch though foiled did not relax in his efforts. Fresh masses were thrust forward, and the remainder of the twenty-fifth division, with three complete regiments of infantry, were led to the attack by General Neidhard. In spite of their greatest exertions, the Poles were partially driven back by this immense superiority of force, and the Russians were on the point of again gaining a footing in the wood, when Chlopicki himself arrived at the head of the grenadiers, and Skrzynecki with the remainder of his division. On the right and on the left they simultaneously attacked the Russians, and routed them in the greatest disorder. Chlopicki had two horses shot under him, and though wounded, burst from the wood at the head of the victorious Poles, who with the cry of Poland ! Poland for ever ! charged Rosen's division in its disorderly retreat, and excited a panic in the Russian soldiery which extended even to the main body under Diebitch.

Chlopicki with a soldier's eye saw all the advantages he had gained. He marked the wavering lines of the Russian army, and the hurried movement of their cavalry into masses, preparing, by a charge, to cover the retreat of the discomfited infantry. The crisis was important. The fate of the battle—perhaps of Poland—depended upon the decision of the moment. He instantly dispatched an Aide-de-Camp to Lubienski, for one or two brigades of cavalry, to pursue the retreating Russians, while he continued to press upon them with the light brigade of the second division, and threatened to take a line of artillery in flank. Unfortunately for his country, the answer of Lubienski was, that he could receive orders from the Commander-in-Chief alone and that the ground was unfit for the operations of cavalry. Offended but not dismayed, Chlopicki left for a moment the tumult of the battle, and hastened to Prince Radziwil, who immediately sent orders to Lubienski to charge jointly with Szembek's division. " Now, Gentlemen," said Chlopicki, as he galloped to the front, " we will take some Russian cannon." But while he was giving orders to his Aide-de-Camp a shell burst near him. The fragments killed his horse and threw him violently to the ground. He lay for some time senseless, and upon recovering himself, found that both his feet were severely

wounded. The Scythemen were called. They spread a cloak and placing him upon it bore him on their scythes towards Warsaw. He sat upright as they carried him from the field, still turning his head towards the enemy; and observing the confusion occasioned by his fall exclaimed, "Why was I not killed, rather than witness what is now occurring."

It was three o'clock when Chlopicki fell, and the contest had lasted for six hours without intermission and with the greatest carnage. It was still continued but without order or any general plan. Each corps gallantly maintained its position, and the action became emphatically, as it was afterwards termed, "The Battle of the Lieutenants." No where did the military glory of the Polish soldier shine brighter than on the Plains of Grochow. Each man endeavoured by his individual zeal and intelligence to supply the want of a leader, and each fought as if the mother-earth on which he stood was only to be purchased with his life-blood.

Szachowskoy's corps having joined the main Russian army, the position of the Poles in the forest became no longer tenable; but they formed a new line which extended from Grochow to Zombki. Diebitch while these movements were going on, opened a tremendous fire from sixty pieces of cannon on the Polish army, and under the cover of this assault ordered a general charge of cavalry. This charge was partially successful, and the right wing of the Poles was bent back as far as Praga. On the left and in the centre, however, the attack entirely failed, and the Russian Cuirassiers checked by the fire of a battalion commanded by Major Karski, were charged by the second and fifth Polish Lancers and entirely routed—the regiment of Prince Albert, which led the attack, being cut to pieces. The day terminated by a cannonade on either side—the last shots being fired by the Polish artillery. Skrzynecki and Szembek proposed a night attack on the enemy's camp at the point of the bayonet, but Prince Radziwil ordered the army to pass to the west side of the Vistula, which was immediately done, the bridge being in hourly danger of destruction from the breaking up of the ice.

The battle of Grochow will ever be memorable in military annals. In it, an army of 120,000 men with 400 pieces of

cannon, were unable to vanquish 85,000 men\* with 100 pieces of artillery, and but for an accident would most probably have experienced an ignominious defeat. The loss of the Poles, from the beginning of the campaign to the battle of Grochow, was estimated at 11,000 men, while that of the Russians was said to amount to 30,000; and considering the long inaction of Diebitch after the battle, and the unfortunate turn the war subsequently took for the Russians, it is easy to conceive that their loss was not exaggerated.

The day after the battle of Grochow Prince Radziwil resigned. Chlopicki was again proposed as commander-in-chief, but the state of his wounds would not allow him to accept the appointment. Skrzynecki, at his suggestion, was named as the leader of the Polish army; and at such a crisis a better choice could not have been made.

Both armies were so exhausted by the recent contests, that some time elapsed before either was prepared to undertake active operations. In the mean time, the spirit of patriotism was roused throughout the provinces of Ancient Poland, and even the Duchy of Posen and Galicia, which could not openly participate in the contest, without compromising the neutrality of their respective governments, sent secret contingents of men and money. The Russian Provinces unrestrained by such considerations openly raised the standard of independence, and not only were the operations of the Russian army before Warsaw paralyzed by these events, but the whole Muscovite Empire was threatened with convulsion. Troops were in consequence sent to different parts of the country, and the following Ukase was issued from Petersburg—a document so barbarous, that were it not established by unquestionable evidence, civilised Europe would almost reject its authenticity. “We order,” says the Imperial Tyrant—

“1. All nobles (Szlachta) taking part in the insurrection, and offering an armed resistance to the legitimate authorities, to be tried by courts-martial, and the sentence to be carried into execution, on being confirmed by the respective commanders of detachments.”

---

\* Krukowiecki's corps was not engaged, with the exception of Gielgud's Brigade, which at a late hour reinforced Uminski at Zombki. Uminski had gallantly held the Russians in check during the whole day.

" 2. The landed property of such criminals is to be confiscated, and the revenues to belong to the Treasury of the Invalids."

" 3. With respect to the *male children* of nobles punished for the crimes specified in the first article, our further pleasure is to be hereafter taken (!) The *children* of those who describe themselves as *Szlachta* (nobles), without being able to give satisfactory proofs of their rank, are to be sent as recruits to the military cantonments."

" 4. Persons of inferior rank taken with arms in their hands, to whatever province they may belong, are to be enlisted as recruits, and to be sent to the Siberian battalions of the line."

" 5. *Their male children* are to be taken as recruits for the military cantonments."

" 6. All those guilty of homicide, during the course of the disturbances, are to be tried according to martial law."

It is such edicts that will establish, in the opinion of posterity, the undoubted claim of the Czar Nicolas to the title of " The Herod of the North."

A month after the appointment of Skrzynecki the losses of the Poles were restored by fresh levies. The sick and the wounded were distributed in the excellent hospitals of the capital. Ladies of the highest rank\* were amongst the attendants on the sufferers, and the mild humanity which distinguished the Poles from their opponents throughout the war, extended the same relief to the Russian prisoners who were wounded.

The conduct of the Russians† afforded a striking contrast. Marshal Diebitch spat in the face of the first Polish officer who had the misfortune to be brought before him as a pri-

\* The Countess Claudia Potocka, so well known for her devotion to the national cause, was unremitting in her attention. She died at Geneva about a month since, persecuted by the Prussian government, her estates being situated in the Duchy of Posen. She was a descendant of *Dzialynski*, the Polish ambassador to England, in the time of Queen Elizabeth, to whom the " Virgin Queen" addressed her celebrated Latin speech from the throne.

† The Poles acted differently. At the close of one of the battles the Russian general Lewandowski was left on the field wounded and abandoned. He had even been robbed by his own soldiers. An Aide-de-camp of the Polish Commander-in-chief, recognizing him as an officer of rank, rode up and said, " General, you are my prisoner," and at the same time offered him his horse. Surprised at such generous conduct the Russian hesitated; but the gallant Pole insisted on his offer being accepted, and conducted his enemy in safety to the Polish head quarters. In order to form a just estimate of this act, it must be remembered that this Russian General had served under Suwaroff in the time of Catherine II., and had participated in the massacre of Praga, when 20,000 of the unarmed Polish population were put to the sword.

soner of war, and his subalterns and soldiers committed the greatest atrocities. The breasts of women were cut off by the Cossacks—the peasantry were killed—and in the town of Oszmiana, the women and children who sought refuge in the church from the brutality of the soldiers, were massacred. These cruelties seemed to call for retaliation, and the question was debated in the Diet, but the proposition was rejected as unworthy of the national character. The Polish commander-in-chief was simply directed to remonstrate with the Imperial marshal against such acts as “*barbarous*.”

The second period of the war commenced so brilliantly as to justify the most sanguine expectations of ultimate triumph. On the night of the 30th of March, Skrzynecki crossed to the east side of the Vistula on a bridge of boats which connected Warsaw with Praga, and which had been covered with straw to prevent any noise from the march of the troops. When at Praga, two detachments were sent to the flank and rear of the Russian corps stationed at WAWR, while the third was ordered to advance towards the enemy by the high road leading to Milosna. Aided by a misty morning the enterprise was completely successful. The enemy was surprised in his camp. Two battalions of infantry were made prisoners. Two cannon and one standard were taken, and the vicinity of Warsaw was freed from his presence. The Russians were closely pursued on the high road to DEMBE WIELKIE, where a warm engagement ensued in which 20,000 of their troops took part. They were completely defeated with the loss of eight cannon and a large number of prisoners, amongst whom was the General Lewandowski. Night-fall put an end to the pursuit, but it was resumed the next day, and the Poles did not stop in their victorious career until they had reached the river Kortzyn, which, the bridges being burnt by the retreating enemy, they were unable to pass. In these two days the Poles took 11,000 prisoners, 10 pieces of cannon, and five standards. The loss of the Russians amounted to 15,000 men, while that of the Poles was only a few hundreds. Such are the results of a well organised attack upon discomfited masses in retreat.

The captured cannon were exposed to public view in Warsaw. The Russian standards were carried through the streets, and were afterwards deposited in the cathedral of St. John on Easter

night, at the solemn celebration of the Resurrection. The Members of the Government and of the Senate attended in their places, and the aisles of the Cathedral were crowded with enthusiastic groups of the people. It was a moment to excite the best and most exalted feelings of our nature, and the scene itself seemed to realize the glowing picture of the friend and poet of Poland\*.

“ Come but the day when Poland's fight is won,  
And on my grave-stone shine the morrow's sun—  
The day that sees Warsaw's cathedral glow,  
With endless ensigns ravish'd from the foe—  
Her women lifting their fair hands with thanks,  
Her pious warriors kneeling in their ranks;  
The 'scutcheon'd walls of high heraldic boast,  
The odorous altars' elevated host,  
The organ sounding through the aisle's long glooms,  
The mighty dead seen sculptured o'er their tombs;  
(John, Europe's saviour—Poniatowski's fair  
Resemblance—Kosciusko shall be there.)”

Flushed with victory, the Poles followed up the advantages they had gained over their invaders, and attacking them at Iganie near Siedlce, took 2,500 prisoners, three pieces of cannon, and three general officers. Three field-officers were among the slain. The 13th and 14th Russian divisions, who, from the reputation they had gained in the Turkish war were distinguished by the title of the “Lions of Varna,” were engaged in this action. But in the battle of Iganie they learnt the difference between the Polish bayonet and the Turkish scymetar. Actions less brilliant, but not less creditable to the Polish arms, were also fought at Pulawy, Boremle, Kuflewo, Kock, Raygrod, Kowno, and Rogoznica. The only battle in which the Poles can be said to have been defeated was at Kazimierz. They lost in it between 1000 and 2000 men. To these must be added the sanguinary battle of Ostrolenka, in which neither party could claim the victory, and which cost the Poles 7000 men, and the Russians upwards of 15,000.

After the battle of Ostrolenka a corps was sent into Lithuania to support the insurrectionary movement which had broken out in that province. Another corps had previously

---

\* Thomas Campbell.



been ordered to Volhynia. The original plan of opposing one compact body to the enemy—a plan which hitherto had been attended with such brilliant success—was in these and similar instances unfortunately abandoned; and the strength of the army—never nearly equal to that of the Russians—was frittered away in detachments and exhausted by a partisan warfare. In the meantime the main army on either side again relapsed into inaction. The Russians waiting for reinforcements, and the Poles still cherishing illusory hopes of an armed interference by France. At this time Diebitch himself died. Chagrin it is said at the defeats he had sustained hurried his decease. He died in disgrace with his master, and the laurels he gathered in the passes of the Balkan faded on the banks of the Vistula. Paszkiewicz succeeded to the command, and being supported by Ruediger's corps of 16,000 men from Volhynia, crossed the Vistula and threatened Warsaw itself.

Skrzynecki's temporizing conduct at Bolimow excited much dissatisfaction; and discontent and apprehension as to the issue of the contest now took possession of the public mind. A council of war was held in the Polish camp, composed not only of generals but of officers of every rank, and it was attended, in consequence of a special invitation, by the provisional government. This meeting was distinguished by some of the characteristics of a Polish Diet in the middle ages, and after a lengthened discussion, Skrzynecki was removed from the supreme command and Dembinski was substituted in his place. These proceedings were unhappily succeeded by the disgraceful events of the 15th and 16th of August in Warsaw.

"The nights of the 15th and 16th of August, says M. Brozowski\*, have left a stain upon our revolution and national character, by desecrating it with scenes of murder and cruelty, not only foreign to the Polish character, but such as exercised a baneful influence on our affairs at an important crisis. The events of that horrible night, long in embryo, were at last brought into activity by a combination of fatal events. The Dictator Chlopicki had sown the first seeds of mischief, by protecting a crowd of spies and traitors from punishment under the forms of judicial proceedings. It was in vain that the public voice loudly demanded the condemnation of these criminals. A slight penalty within the jurisdiction of the police was alone inflicted on them. So long as success attended our efforts and victory followed our Standards, these men were forgotten; but

---

\* *La Guerre de la Pologne*, p. 240.

when misfortune threatened the country, the restless eyes of all were again turned on this corrupt mass, which seemed to wait but the moment of deliverance, to inflict itself, a second time, on a devoted people. The unfortunate turn which affairs had taken, increased this anxiety in the public mind, and the grave fault, committed by the commanders of the army, almost justified the suspicion of treason."

. . . . .

"The murderous events of the night of the 15th of August, may be traced to several causes. There was a hidden Russian spring, adroitly managed, which not only stimulated the wild enthusiasm of political fanatics, but betrayed many honest patriots, without sufficient discretion to restrain their passions, into the plot. There were many ambitious men who thought only of their own elevation, and General Krukowiecki was not the only one who was led into error. The 'Patriotic Club,' of infamous memory, was the tool employed in these proceedings. This 'club,' composed of individuals who thought much more of talking than of making any real sacrifice for the welfare of their country, was the true gangrene that poisoned the very life-blood of our revolution. The number of persons put to death on that disastrous night, did not, however, exceed thirty-five. The more important were Generals Jankowski, Bukowski, Hurtig, and Salacki. One Hankiewicz, an inquisitor under the Russian government, a Cossack, who had cut off the breasts of a woman, and several spies of a low rank. But the consequences were of immense and disastrous importance. The hearts of all honest men were chilled, and the army heard the news of these murders with the most lively indignation, and saw with horror how completely the authority of the government was prostrate before an infuriated populace."

. . . . .

"It was then that the helm of his country was reluctantly surrendered by the good and virtuous Prince Czartoryski. A man whose whole life was free from stain or reproach—who shone in the horizon of our revolution like some beneficent planet—and towards whom the eyes and the hearts of all honest men were turned with affection and respect. Prince Czartoryski was succeeded by General Krukowiecki, because violence and indiscretion were mistaken for energy and decision of character."

The war was now evidently drawing to a close. On the 6th of September Warsaw was assaulted on the side of Wola. Three battalions of Poles, to whom the defence of a redoubt in that quarter were assigned, made a most heroic stand against the overwhelming masses of the enemy. Quarter was neither asked nor given. General Sowinski their commander fell pierced by bayonets beside his cannon, and of the three battalions only eleven men survived. Among them was WYsocki—the chief actor in the rising of Warsaw. He was taken prisoner covered with wounds. Three hundred and eighty-six Russian cannon played continually upon the devoted city of Warsaw and were answered from the fortifications, which, however,

were but scantily supplied with artillery. In the Russian official account their loss is estimated at 10,000 men—that of the Poles in killed and wounded amounted to 9000. The Marshal Paskewitch himself was among the wounded. On the 8th of September Warsaw capitulated, the Polish army being allowed forty-eight hours to evacuate the city with their arms and colours.

“ It would have been very easy,” says M. Brozowski, “ for the army to defend itself within the walls and from house to house. It had already performed more difficult feats, and Europe doubtless would have rung with its heroism, if after the example of Saragossa it had buried itself under the ruins of Warsaw. But the Poles could not, for the sake of a mere empty renown, consent to the destruction of a city which is the hearth-stone of their patriotism, and the centre of their nationality—a city which in future struggles is yet destined to play an important part—for the Poles are far from succumbing under their present misfortunes—very far from abandoning the hope of again becoming a nation.”

In our third number we gave an account of the grievances which justified the Poles in taking up arms; and in our first number\* we traced the movements of the Polish army after the evacuation of Warsaw, till its several corps took refuge in Galicia and the Prussian dominions. In our present article we have endeavoured to give a sketch, necessarily very imperfect, of the events of the Polish revolution, from the rising of Warsaw in November 1830, till its fall in September 1831. We have dwelt with pleasure on the patriotic devotion, the heroism, and the high and chivalrous feelings of honour which marked the conduct of the Poles throughout their arduous contest in the field, and although we would willingly have left the task of recording their errors to other hands, we have sought neither to conceal or palliate the foul stain left upon the revolution by the “ Clubbists” of Warsaw. We now, for the present, take leave of the subject, in the hope of having convinced our countrymen that the Polish revolution was a national movement—a contest for independence and constitutional liberty—not the struggle of a few factious individuals to obtain a short-lived ascendancy, by stimulating the passions of an excited populace. That the spirit of the nation is not broken, even under the accumulated wrongs and misfortunes which oppress

---

\* See *British and Foreign Review*, No. I., p. 34; and No. III., p. 65.

it we firmly believe; and in support of this opinion, we have the high authority of Prince Czartoryski, in the following extract from a speech delivered by him, at the annual meeting of the Literary Association of the Friends of Poland on the 26th of last April:—

“ But, gentlemen, the sufferings of Poland are the source of her hope. They excite and strengthen the national spirit—they embitter even our detestation of a foreign yoke—they increase the devoted attachment of the Poles to their country, and stimulate the desire to sacrifice every thing they possess when called upon for her liberation. THESE NATIONAL, UNANIMOUS, UNCONQUERABLE SENTIMENTS, CONSTITUTE OUR STRENGTH, AND INSPIRE US WITH AN UNSHAKEN FAITH IN THE FUTURE DESTINY OF OUR COUNTRY.”

---

#### ARTICLE IV.

*Memoirs of Sir William Temple.* By the Right Hon. THOMAS PEREGRINE COURTENAY. 2 vols. London: 1836.

No Englishman, whatever his political opinions or party bias may be, can contemplate without humiliation the period of history embraced in these memoirs.

The great struggle between the rival houses of Bourbon and Austria, suspended for a time, was on the point of breaking forth with redoubled animosity. The grand designs begun by the genius of Richelieu had now nearly reached their complete execution, and the monarchy of Louis XIV. cast its portentous shadow over Europe. On the other hand, the elements of vigorous resistance to this colossal power were not wanting. The alarm was general. The republican Hollanders clung to the principles of national independence with an ardour and constancy which the magnitude of their danger, and the apparent hopelessness of their cause, served only to increase.

But in that day of trial for the independence of Europe, England was not found in the array of its defenders. Her arms were turned against those principles from which she drew her power and renown. The nation, whose wounds received in the cause of civil and religious liberty were yet scarcely cicatrized, was leagued with the great oppressor of all liberty,

under whatever aspect it appeared. The sovereign of England was his pensioner—her ministers were his hireling instruments—her proud people duped by a profligate and venal court, and inflamed by no less profligate and venal factions, expended their free spirit in lamentable ebullitions of religious antipathy and party violence.

In an age of such gross and triumphant corruption, the life of a man who mingled in public affairs without sharing in the general contamination, and who, under circumstances the most adverse, maintained, so far as the exertions of a single man could maintain them, the national character unsullied, is one of the most interesting and most instructive subjects of biography.

Sir William Temple was the representative of an ancient family, which, by the influence and protection of the Sidneys, had risen, in the days of Elizabeth, to some importance. His father, Sir John Temple, was Master of the Rolls and a Privy Councillor in Ireland; his mother was the sister of Doctor Hammond, the estimable and well known chaplain of Charles I. Temple's early life was cast amid those great political changes which attended the transfer of power from the parliament to the army—from the army to that master spirit before whom kings trembled, and who brought Englishmen to surrender to him their cherished liberties. In 1654, Sir William Temple married Dorothy Osborne, a lady whom her letters prove to have possessed a cultivated taste, various attainments, and a temper singularly free from meanness and dissimulation. In 1660, he was chosen into the Irish convention for the county of Carlow. Of the Irish parliament which was summoned after the dissolution of the Convention he became a popular and active member. When that assembly was prorogued he returned to England with his family, and in 1665 he was dispatched by his patron, Lord Arlington, to the bishop of Munster, with whom that minister had entered into a secret negociation. At this time the United Provinces, supported by a defensive alliance with France, were engaged in a war with England: the object of Temple's mission was to induce or rather encourage the Prince-Bishop to make an incursion on the territories of Holland.

This bishop holds but an obscure place in history. He was

however one of the most extraordinary churchmen of an age which produced Richelieu, De Retz, and Mazarin. Bernard Van Gale was the son of a private gentleman of Westphalia, who died in prison under a charge of murder. His uncle, Dean of the chapter of Munster, took charge of him whilst yet a child, and made him a canon of the cathedral of Munster. From his appointment as canon, to the fiftieth year of his age, he led a life of reckless and notorious debauchery. The bishopric of Munster became vacant, and the uncle and nephew were rival candidates. The nephew, our bishop, invited the canons to dinner, plied them with wine, and was elected by them on the spot, with shouts of *vivat Bernardus noster dignus episcopus*. The love of pleasure now gave way to ambition and the love of war. He raised a little army, mingled in the intrigues of princes, plundered his neighbours where he could, sold himself and his army to the highest bidder, sometimes provoked enemies capable of over-powering him, and when warned of his rashness replied that, "les petits saints ne laissent quelquefois de faire des grands miracles;" and upon being reproached with his indifference to the lives of his fellow creatures, said that, "un bon homme de guerre ne devait pas avoir beaucoup plus de compassion que le diable." We take his character from Basnage, not from Temple, who viewed him too favourably (Mem. I., 38, &c.) It is strange, by the way, that Mr. Courtenay, who has prefixed to his work an ostentatious list of the books consulted by him, should have overlooked Basnage. The bishop made a predatory attack in which he committed great ravages, but soon became weary of an imprudent alliance which the hope of plunder and hatred of the Dutch had led him to contract. Some doubts also rose in his mind whether Charles would continue his payments beyond that of the first of three subsidies which Temple made him. He therefore concluded a peace at Cleves under the mediation of the French king, to the great mortification of Temple.

Notwithstanding this failure—if it should be called a failure on the part of Temple—the capacity for business evinced by him occasioned his appointment to the post of resident at Brussels. Shortly afterwards the Dutch fleet rode triumphant in the British seas, burnt English ships in the Thames, and menaced the security of the capital. The murmurs

of the nation, little accustomed to such insults, were loud and unanimous. A victim was required, and Clarendon, accused by the corrupt of violence and by the violent of corruption, was sacrificed by an ungrateful master. The resistance which that minister offered to the unconstitutional projects of Charles, and to the importunities of his minions—his adherence to the great principles of the act of indemnity—these were the real and unpardonable crimes, which gradually undermined his influence and finally completed his disgrace.

A time was now approaching which gave Temple the opportunity of displaying on a more conspicuous theatre those talents and virtues, the union of which not only raised him above his contemporaries, but entitle him to be placed among the more eminent of those men to whom the diplomatic affairs and interests of this nation have from time to time been entrusted. The spirit of systematic encroachment and boundless ambition, which urged Louis XIV. perpetually to extend the limits of his monarchy, had at length provoked the hostility, as it had long justified the apprehensions, of the other states of Europe. On the death of Philip IV. of Spain, Louis appeared on the frontiers of the Netherlands with an army of 40,000 men, commanded by generals whose talents and experience were then unequalled, and prepared for immediate action. There he had only to encounter such opposition as could be made by troops without discipline, generals without experience, and towns without fortifications. The Emperor and the Germans were alarmed, but their motions were slow, vacillating, and equivocal. The Spaniards contented themselves with refusing all offers of accommodation, and with loud exclamations against the injustice which they wanted foresight and vigour to prevent. The Dutch would have joined England, but they feared the duplicity of Charles and the profligacy of his satellites.

Temple was selected as best qualified to estimate the dispositions of the Dutch, and to counteract the dexterity of French diplomacy and intrigue. The frank, high-minded, clear-headed, English gentleman, left for a short interval to act in conformity with his own judgment, surmounted every obstacle, and in less than five days concluded the triple league, which checked the career of Louis, saved the Spanish monarchy from further dismemberment, and placed England—for a moment—"like a

“ great sea-mark saving those that eye it,” in the van of embattled Europe.

It would, however, be unjust to ascribe the extraordinary success of this negotiation to the merit of Temple alone—much undoubtedly must be attributed to the capacity and vigour of De Witt, in whom the English minister found a mind raised, like his own, above all the petty artifices with which meaner politicians seek to disguise their inferiority. These great men continued to be ever afterward united. The counsels they shared, and the great work achieved by their co-operation, furnish an admirable instance of the application to public objects, of that love of truth, and rectitude of purpose, which statesmen, who admit the importance of morality in the ordinary and private intercourse of mankind, are apt to consider an impediment to success in politics.

These better days were not of long duration. Corruption, envy, faction, were busy to destroy the work which had been wrought by integrity, and cemented by the sympathy of generous principles. Temple's language in vindication of his conduct is animated and vigorous :—

“ For my part,” he says, “ I will never deny my opinion that the King and kingdom's interest is to balance the affairs of Europe, to hinder the exorbitant growing power of France, to defend Flanders, and towards these ends to continue a strict alliance with Holland, fasten the Triple League, and head all the affairs of Christendom on one side, as France will do on the other. I am, besides, of opinion it is not possible to have a war between France and Holland without our engaging in it, since without that, Holland will upon no provocation be brought to enter into it, but rather turn a province, and live as well as they can under the protection of France, whenever they want our's against it. As these are my thoughts, so I believe them His Majesty's, and his Ministers, at my coming here, and may justly expect to be told if they are changed, or I am deceived, that I may steer accordingly, as I ever shall do, by the compasses given me, and while I serve His Majesty, do it in his own way; and when I can do that no longer, shall never deceive him by counterfeit service.”—(Vol. I., p. 320.)

And again—

“ I question not at all but God Almighty has given us the power of going as high as the greatest of our neighbours, but perhaps, as your Lordship says, unknown to ourselves, and in another way than some of us would have been glad to have had it. But wherever it lies, I doubt it will never come out till His Majesty can find the means to make an end of all fencing with the bents of his parliament, or discontents of his people, and bring his government into the credit of having no other aims or interests but those of his subjects in general, not in particular, nor consequently, any eye upon their money, but of those uses they are willing to give it. This, I confess, is my opinion, on the whole, and



that all does not consist in a parliament being prevailed with to give what is asked in point of money, as I find many people think."—(Vol. I. p. 326.)

The language of Arlington's correspondence became daily more suspicious and evasive. In answer to a proposal of including the Emperor in the triple league, Temple was instructed to warn the Austrian envoy against "provoking His Majesty by such practices." Temple next found that Sir Orlando Bridgeman, Trevor, and the Duke of Ormond were excluded from the foreign committee. The turbulent and profligate Clifford in the midst of the public rejoicing had been heard to mutter the ominous words, "Well, for all this noise we must soon have another war with Holland;" and his prediction did not wait long for its accomplishment.

The triple alliance which thus apparently raised the reputation and power of England, and ensured the safety of Holland, was the prelude to the utter debasement of the one, and brought the other to the very brink of ruin. The infamy of Charles II. is now so well known, that it needs only to be touched in passing. He obtained money from his parliament by professing zeal for repressing the ambition of Louis XIV., who already attempted the conquest of the Spanish Low Countries, and who was suspected of intending to destroy the heretical republic of the United Provinces. Charles at the same time was secretly treating to become the pensioner of Louis, on the condition of aiding him in the destruction of the Dutch, and in the acquisition of a footing in the Netherlands, which would favour at any moment a French invasion of England.

The corrupt bargain between Charles and Louis began, according to Basnage, so early as the peace of Aix-la-Chapelle. It is strange that it should have escaped the sagacity and opportunities of Temple. He even rejected the truth with strange simplicity when the corruption of Charles and the English court with French money was denounced to him by De Witt. He said, that his political experience had had the effect of curing him of the malady of suspicion. Sir William Temple's faith in the purity of Charles and his court is little less curious than the delicate reserve with which a passage of diplomatic history so closely connected with the life of Temple is passed over by Mr. Courtenay. Royalty seems to be as sacred in his eyes as in those of the French emigrant who ascribed the revolution

and its horrors to the freedom with which people were allowed, by the government of Louis XVI., to treat the sacred foibles of Louis XIV. and Madame de Maintenon. The chief, if not sole, reproach cast upon Charles in reference to this transaction is his descending to become the hireling of the King of France. His debasement as a sovereign is scarcely more discreditable to his memory than his less known or less noticed want of gratitude and feeling as a brother. The fate of Henrietta of Orleans, his sister, who negotiated this money treaty, gives to it an affecting interest. She returned from her "voyage de Douvres," as it is called in the memoirs of the time, exulting in the important mission confided to her, the success with which she had fulfilled it, and "the happy union" (her own phrase) which she had established between a brother whom she appears to have regarded with the most tender affection and Louis XIV. who was her lover, notwithstanding her marriage with his brother. Her return to Paris was celebrated, as her mission had been disguised, with court festivities. The secret was known only to the King of France, the Princess, and Colbert. Louis XIV. on his return to court told it to Turenne. That famous general, in his old age, had pretensions to gallantry, and told it to his mistress, from whom it passed to the Duke of Orleans. The Duke who endured the attentions of the King to his wife, could not forgive her being trusted with a secret of which he was thought unworthy. He at first manifested his discontent only by ill humour. A fresh provocation inspired him with purposes of deadly vengeance, "quelques jours après," says the writer of her life, "Madame s'étant enfermée avec le roi, à l'occasion du traité qu'elle avait apporté d'Angleterre, on pour quelque raison secrète, Monsieur en fut irrité et laissa échapper contre elle les mouvemens de son indignation." Walking after dinner in the best health and spirits, she called for a glass of chicory water, drank it, felt immediate and acute pains, declared that she was poisoned, and died in some hours. Her husband witnessed her agonies without emotion; and her confessor adroitly interrupted her answer to the question of the English ambassador, whether she was poisoned: "You must," said he, "sacrifice your life to God, and think of that only." She spoke in English—but the word poison, which is the same in French, with little difference of pronunciation, caught the quick ear of the priest, and alarmed him

for her husband. She spoke of her worthless brother with devoted tenderness. Madame de la Fayette, who was present, has given some touching details of her dying moments—"Tell him," (Charles) said she to Montague, the English ambassador, "he has lost the person who loved him most in the world ; —que je plains le roi mon frère ! quelle perte il fait ! quel coup pour lui !" She seems to have known little of the person to whom she was so tenderly attached. Sir Thomas Armstrong, an officer of her household, brought over the news of her death with the circumstances to her brother. Charles shed tears, and exclaimed in the first moments of his grief, "Mon-sieur est un emp——," checked himself without completing the word "empoisonneur," dried his tears, and bade Armstrong "say nothing about it." His infamous pension was punctually paid him ; the French ambassador distributed 300,000 livres (about £.12,000) in his court ; and the matter was hushed. Thus died the most amiable and highly-endowed princess of her time. Her death by poison is denied, but there are few cases of court-poisoning better established.

The fearful peril of Holland and its rescue by the Prince of Orange—the most glorious portion of his life—are matters of well-known history. It may be observed in passing that the situation of the Dutch was not quite so desperate as it is generally represented. Their canals and sluices afforded means of defence at a terrible sacrifice which they had virtue enough to make, and their maritime power and resources were unimpaired. The French consul in person, said one day to the Persian sovereign, that his master Louis XIV. had made the conquest of Holland. "How can that be possible," replied the Persian, "when there are twenty Dutch vessels for one French in the port of Ormus?"

The recall of Temple from the Hague was an essential preliminary to the degradation of his country. This measure, combined with the visit of the Duchess of Orleans to England, and the seizure of Lorraine by Louis, was a sufficient indication of the ascendancy of French influence in the English councils. De Witt immediately solicited an explanation ; Temple's reply was striking and characteristic.

"He could not believe it possible for the King and his ministers to change in a point of so evident interest. He could answer, however, for nobody besides himself, but this he would ; and if ever such a thing should happen, he would never

have any part in it. He had told the King so, and would make it good. For the present there was nothing more to be said—if he returned, De Witt should know more, and might guess, if he did not return. De Witt smiled, and said, he should try to overcome his suspicions of Temple's journey."—(Vol. I., p. 340.)

His reception in England was such as the communications he had perused abroad might have led him to anticipate. Clifford treated him with insolence; Arlington with coldness; Charles with indifference. After listening to several vague and unmeaning professions of approbation and regard, he cheerfully withdrew to his gardens and his books, happy to exchange restraint and ambition for freedom and philosophy.

It falls not within our province to touch the miserable details of English ignominy; the contemptible pretexts employed to justify the war\*; the piratical outrage upon the law of nations which announced its commencement; the violation of public credit by which it was carried on; the insolence, meanness, and duplicity of its advisers.

Excidat ille dies ævo—neu posteri credant  
Sæcula—nos certe taceamus—et obruta multa  
Nocte tegi nostræ patiamur crimina gentis.

To the leisure now enjoyed by Sir William Temple, the world is indebted for several lively and ingenious productions, containing, indeed, few proofs of profound thought or wide research, and somewhat deficient in method and precision, but abounding with marks of an active, penetrating, and well cultivated intellect, sustained by the study of books and men. His essays are written in a tone of candour and moderation seldom brought in that age to the discussion of religious and political subjects; and with a grace and variety of style which places him among the reformers of English literature. Hume has formally excluded Sir William Temple from the catalogue of English classical writers; but suspicion may be entertained of the impartiality of him who advised a tragic poet "to study Shakspeare, but get Racine by heart." Hume wrote English with brilliant success indeed, but he wrote it as a

---

\* Among the most frivolous were offensive Dutch caricatures; some of them were exhibited in the court pamphlets of the time. One was a lion, with three crowns reversed, and without his tail. Another consisted of three English mastiffs, with their ears cropped, and their tails cut off, barking at a Dutchman, with the inscription, "Devictis Anglis—Latrant, non mordent."

foreign language, and he has uttered a sweeping anathema against all the writers who preceded Swift; including the pure idiom of Cowley, the nervous eloquence and perspicuity of South, the vigour and harmony of Dryden. To the works of these writers, Hume, from his pursuits and tastes, was comparatively a stranger. The English language, till the age of Anne, was regarded by him as the vehicle of theology and conceits. Brown, Cudworth, Barrow, Taylor, and Milton himself (as a prose writer) were depreciated by him. Political sympathy, and the great charm of a constant, pervading, untiring interest, did not reconcile him to the rambling style and loose inversions of Clarendon.

Sir William Temple, however, always writes with facility and vigour, and not unfrequently with eloquence. His style abounds with gallicisms; which from his constant occupation it was scarcely possible for him to avoid: but it is, at the same time, energetic and grave. He disdained exaggeration and parade. Among his essays the account of the United Provinces is best known, and is written with the most sustained eloquence. His letter of consolation to the Countess of Essex contains several affecting passages, from which Mr. Courtenay has made an extract too long for insertion here, which we agree with him in pronouncing a favourable specimen of Temple's composition.

After the lapse of some years, Temple was again summoned from his retreat to resume his functions of ambassador to the United Provinces. Many important changes had taken place during his retirement. Shaftesbury had been dismissed from the chancellorship, and had carried his talents and his treachery to the cause of the opposition. The Test Act, which the King had been obliged to pass, disqualified Clifford for the office of treasurer, and that situation was conferred on Sir Thomas Osborne, afterwards better known as Earl of Danby, a relation and friend of Temple. Finally, the universal disgust of the people, to whom the injustice of the Dutch war was apparent and intolerable, compelled the King to abandon the infamous conspiracy in which he had been hired to engage himself. Under the auspices of Sir William Temple, a peace was concluded at Westminster with the Spanish ambassador in three days, to the incredible joy and satisfaction of the people. Temple was immediately offered the embassy to Spain, but

he declined it. It was finally decided that he should proceed once more as ambassador to Holland, where he was familiar with the manners, character, and condition of the people.

Before his departure, he was determined to extort from Charles, if it was possible, a clear, explicit, and satisfactory statement of the measures which he was to pursue, and of the principles by which his conduct as the representative of England was to be guided in the course of the approaching negotiations. This attempt was completely baffled. The conversation which took place between them, exhibits in the clearest light the sincerity of the Minister and the duplicity of the King. We give Mr. Courtenay's account of this interview.

"With this view he sought an audience of the King, and spoke his mind very freely upon the late counsels, and the ministry of the late cabal. He told Charles how ill he had been advised to break measures and treaties so solemnly taken and agreed; how ill he had been served, and how ill succeeded, by the violent humour of the nation breaking out against such proceedings, and by the jealousies they had raised against the crown. The King answered, that he had been ill served, but rather justified what had passed. Hereupon Temple went, as he expresses it, to the bottom of the matter, charging the King in effect with his intention to introduce popery and arbitrary power; for this he really did, in showing how difficult if not impossible it was to set up here the same religion and government that was in France. He assured him, that even those who were indifferent to religion would not consent to have it changed by force of an army: that in France the King had only to manage the nobles and clergy, the peasants being as insignificant as the women and children were here; whereas, in England, the bulk of land lay in the yeomanry or lower gentry, and their hearts were light by ease and plenty, as those of the French peasantry were wholly dispirited by labour and want. The King of England, moreover, was without the means which the French kings had of raising armies, otherwise than by supplies from his parliament, and no army composed of Englishmen would serve ends that the people hated and feared. He represented the absurdity of attempting to govern the whole nation by the one-hundredth part composed of Catholics. Foreign troops would only raise discontent, and not fewer than threescore thousand men would suffice to subdue the liberties and spirit of England \* \* \* This remonstrance affords a striking illustration of the bold independence of Sir William Temple: Charles's reception of it is equally characteristic of the easy indifference of his disposition, and of his cleverness as an actor. He was neither offended nor moved by the heinousness of the imputations. At first, only, he seemed a little impatient, probably because he did not like to be *bored*; and when Temple quoted the saying of Gourville, that a King of England, to be great, must be the man of his people, he laid his hand upon Temple's, and added, 'and I will be the man of my people.'—(Vol. I., pp. 425, 426.)

Temple's offers of mediation were coldly received by the

Prince of Orange, who imagined that they were intended to lure him into a separate treaty. Lord Arlington, who was dispatched soon afterwards to the Hague, increased by his insolence the alienation which his mission was intended to remove. Temple, however, soon acquired the confidence of the prince of Orange, who discerned his integrity, and appreciated his talents. The marriage of William to the Princess Mary, an event of momentous consequence to England, was in a great measure the result of Temple's zeal and activity.

He was now invested with full power to appear as the mediating ambassador of England at the Congress of Nimeguen, where measures were to be taken for placing the present peace and future security of Europe on a surer basis. In the discharge of this duty he was assisted by Lord Berkeley and Sir Leoline Jenkins. Temple was soon summoned to England to assist the King in his arrangement with Louis, who offered Charles great sums of money if he would connive at stipulations favourable to France in the ensuing peace. Temple indignantly declined interfering, and Charles was so much incensed by one of the articles which Louis proposed to him, that Temple was again dispatched to Nimeguen to concert measures of hostility against France.

Every thing now wore an appearance favourable to the honour of England, and the independence of Europe. William told Temple that he felt himself a great prince once more, and Temple hoped to see England restored to her natural position. All these expectations were annihilated at a blow. The insinuation of Barillon and the address of his countrywoman, the Duchess of Portsmouth, changed the situation of Europe. The envoy of the Duke of Holstein was dispatched to Temple, with orders opposite to those which he had before received. This man, on the suggestion of Barillon, proclaimed his instructions in every town through which he passed. The rumour soon spread. The doubts and jealousies of the Dutch revived—all hopes founded upon Charles's honour appeared precarious and delusive—it was evident to every one that no reliance whatever could be placed on him. Temple, astounded by conduct which seemed intended to take away all shadow of credit from himself and brand his country with infamy, was unable to restore confidence. The French having protracted their nego-

ciations till the very day stipulated in the treaty, as the last on which their resolutions should be made known, agreed to evacuate some of the towns demanded. Van Beverning, the Dutch minister, might have refused to accept their proposal, as the time had elapsed in which the concurrence of Spain could be obtained ; but he esteemed the advantage of emancipating his country from dependence on England as paramount to all other considerations. A treaty was therefore signed, which raised Louis to his proudest eminence, and brought England into the lowest state of degradation.

Sir William Temple's observations on the Popish plot are short and ambiguous. But it is known that he never was seduced, inflamed, or intimidated, to countenance the series of perjuries by which that tremendous explosion of fanaticism was generated, or to encourage the ferocious persecution which it occasioned. There is an admirable remark of his on religion, applying alike to war and faction—"I very much doubt," says he, "whether there was ever yet any war of religion, or ever will be, though hardly any without the pretences."—This is philosophy. Religion in such cases is but the cloak of selfish passions whether put on by a tyrant or a faction. We are unable to understand the reluctance, which some of our eminent writers have manifested, to censure this foul conspiracy of the Popish plot in terms of becoming indignation. Mr. Hallam has laid aside something of his usual impartiality on this subject. Mr. Fox has quoted lines of Dryden in mitigation of this great national crime, observing that such a writer will not be accused, by those to whom his immortal writings are familiar, of any wish to extenuate the guilt of the men by whom this abomination was upheld, or of justifying the sentences by which so many Catholics were immolated. But the lines quoted by Mr. Fox were written at a time when the paroxysm of madness, which shed torrents of innocent blood, had altogether subsided ; and although Dryden might not think it safe to stigmatize, as they deserved, the massacres in which Parliament had been so active an accomplice, it is evident, from many passages in the satire which Mr. Fox has quoted, that the frenzy of the multitude, the interested designs of the opposition leaders, and the unspeakable depravity of the witnesses on whose testimony the sufferers perished, were obvious to all



whose hearts and understandings were not seared by bigotry, against conviction.

The last act of Sir William Temple's political life was to advise and superintend the formation of a council composed of the leading members of both houses of Parliament, among whom "others of His Majesty's own personal choice," were to be incorporated—a body, which from the rank, wealth, and natural influence of its members, would, it was hoped by Temple, be esteemed by the public a sufficient barrier against the adoption of dangerous and arbitrary projects. This scheme, though plausible and ingenious, and holding out to the nation a mode of escaping from the danger of a civil war and a disputed succession, proved in the result fallacious and impracticable. According to Mr. Hallam, the cause of its failure is to be found in the intrigues of Charles, rather than in the imbecility of Monmouth, the petulance of Halifax, or the wickedness of Shaftesbury; but to such a cause Temple was most unwilling to impute the destruction of his project, and finding that the evils he had attempted to remove were incurable by any means that he thought it expedient to suggest, he determined to abandon a situation beset with conflicting duties, in which his moderation, without contributing to the service of either, alternately provoked the anger and incurred the reprobation of the Sovereign and the Parliament. This scheme of a council is, on the whole, not creditable to Temple as a statesman. Barillon said, with great felicity, it was making *un état* and not *un conseil*. It would, in truth, have been a new estate in the realm, wholly alien to a constitution of King and Parliament. Another and worse feature in it is stated by Temple himself. "This council," he says, "being worth about 800,000*l.* a-year" (three-fourths of the property of the House of Commons), "might, out of their own stock, upon a pinch, furnish the King, so far as to relieve some great necessity of the crown." The King's being the debtor of his council, would have been more mischievous, though less disgraceful, than his being the pensioner of the King of France.

From the period of Temple's retirement, the materials of his history are meagre and uncertain. We cannot say that the diatribes on the Reform Bill, and attacks on the character

of living ministers, by which Mr. Courtenay has successfully guarded against any diminution in the bulk of his volumes notwithstanding the penury of relevant matter, entirely or satisfactorily supply this defect. It is, perhaps, with individuals as with nations, they are happiest who supply history with fewest materials. But the desire of tracing the peculiarities of illustrious men, of knowing the books in which they delighted, and the amusements which beguiled their leisure, is implanted in our nature. In gratifying it, the judgment is improved and the taste refined. We delight to observe the intellect of a statesman, or orator, amid the tranquillity of domestic seclusion, and relaxation of social confidence. Much, therefore, is it to be wished that we could have beheld more directly the freshness and simplicity, and the genuine love of nature, which Temple preserved in all their purity through the struggles of party and the excitements of ambition. But although the retired statesman avoided the clash and collision of hostile factions, neither Sheen nor Moor Park were secure against those storms

“ Which toss

The private state, and render life unsweet.”

The current of domestic happiness, which had flowed so long with smoothness, was at length interrupted, and he was forced to contribute his share to the tax which none born of woman must escape. His son, whom he had permitted to take office under William the Third, drowned himself in a fit of dejection. Temple had himself declined the place of Secretary of State repeatedly offered to him by William, whom long and intimate acquaintance with his merit had rendered desirous of his services.

It was about this time that Swift became a member of Temple's family. Mr. Courtenay differs from the last great biographer of that extraordinary man as to the cause of those jealousies, which, without breaking out into an open flame, smouldered in the bosoms of the patron and dependant. It requires little knowledge of Swift's character to understand that his temper, naturally proud and irritable, was restless and impatient in an inferior station. Out of the collision between two men—the one proud or perhaps vain of functions and station, the other conscious of his genius—there might, and probably

there did, arise reciprocal provocations. Sir William Temple offered the strongest incense of court flattery to his patrons, Arlington, Sunderland, Danby, and even Buckingham; and such men are apt to avenge upon those below their sacrifice of dignity at the feet of those above them. It is easy to imagine with what bitter humiliation Swift must have written the letter to Temple, which Mr. Courtenay has cited, beginning with "I intreat your honour will please to send me some certificate of my behaviour during almost three years in your family, &c." "The particulars required of me," he continues, "relate to morals and learning, and the reasons for quitting your honour's family; that is, whether the last was occasioned by any ill actions. They are all left entirely to your honour's mercy." What a strain for him, who afterwards wrote in his journal to Stella—"I called at Mr. Secretary's (St. John) to see what the devil ailed him on Sunday.—I made him a very proper speech—told him I observed he was much out of temper—that I did not expect he would tell me the cause, but would be glad to see he was in better temper; and one thing I warned him of, never to appear cold to me, for I would not be treated like a school-boy—that I had felt too much of that in my life already," (from Sir W. Temple, doubtless)—"that I expected every great minister who honoured me with his acquaintance, if he heard or saw anything to my disadvantage, would let me know in plain words, and not put me in pain to let me know or guess by the changes of his countenance or behaviour; for it was what I would not bear from a crowned head, and no subject's was worth it. Don't you remember how I used to be in pain when Sir William Temple would look cold and be out of humour for three or four days—and I used to suspect a thousand reasons?—I have plucked up my spirits since then, faith." We however know, on Swift's own authority, that he was soon admitted to Temple's intimacy, and to the intercourse of his most illustrious guests. King William himself, as a proof of his kind wishes to Swift, offered him the command of a troop of horse, and taught him to cut asparagus in the Dutch fashion. After the last scene of Sir William Temple's life, when every feeling of momentary anger had vanished before

the sentiments of early gratitude and habitual esteem we find the following extract in Swift's Journal.

" January 27th, 1699. He died at one o'clock this morning, and with him all that was good and amiable among men! "

Mr. Courtenay has given a long and laboured character of Sir William Temple—but he is a bad portrait painter. He touches off no lights and shades—no distinctive traits of character—without which a portrait has neither fidelity nor meaning, whether executed with the pencil or the pen. Temple perhaps was not the best possible subject. He was essentially a good man, of virtuous life, regulated by a high moral standard in a corrupt age; with weaknesses, not passions; wanting somewhat in decision and energy, as he proved himself at the Revolution; and in short not endowed with the genius and temperament which actuate personages of the first order.

The mental qualities of Sir William Temple were however blended and adjusted with a happy correspondence and keeping; none encroached upon the province of the other. Lord Peterborough and Lord Bolingbroke, in the succeeding age, were men of extraordinary abilities, but from the want of equipoise, the one passed his life like a knight-errant, in a series of romantic and unprofitable adventures, and the other incurred a stain of political infamy, which neither the praise of Pope, nor his own eloquence could wash away. But, in the well-balanced mind of Sir William Temple, the thirst for knowledge was consistent with the love of leisure, and aptitude for business with capacity for speculation. Taught by the philosophy which he cultivated, and enabled by the high situation which he filled, to examine the tinsel and decoration of the most splendid scenes, and to appreciate the emolument and honours, which the vulgar seek so ardently, at their proper value, he was neither insensible to pleasure, nor indifferent to renown.

Among the fruits of Mr. Courtenay's researches, are Lady Temple's letters, written before her marriage, to the man whom she was fortunate enough to captivate, and wise enough to prefer. Mr. Courtenay has rescued these documents from the doom to which so many monuments of "*la belle passion*" are consigned.

Whether the resurrection of similar effusions, two hundred

years hence, would redound to the glory of our fair contemporaries, we will not venture to decide; but we affirm, that if candour, good sense, generosity—if all the purer and better feelings of our nature, united with playful wit, and a keen perception of the ridiculous, are equally conspicuous in the rose-coloured billets that float in the atmosphere of Saint James's and Grosvenor Square, as they are in the language addressed by Dorothy Osborne to the husband of her youth, posterity will be amply rewarded for all the ingenuity that may be requisite to explain, and the diligence that may be necessary to collect them. Mr. Courtenay has reproached Lady Temple with the frequent enumeration of her various suitors; but Sir W. Temple had we think little reason to complain. The way in which his mistress treats Sir Justinian Isham and Mr. Fish might satisfy the most sensitive lover. The depth and sincerity of her attachment to him is visible in almost every line of her correspondence; and it is pleasing to think, that amid all the feverish vicissitudes of his active life, Sir W. Temple always found the same devoted affection where “he had garner'd up his heart,” and continued to regard the object of his youthful love with feelings of increased esteem and unabating tenderness.

We now pass from the subject matter more particularly to the author. The French have long been allowed to excel in the art of imparting interest to biographical memoirs, and of interweaving the more important events of history with the fleeting topics of conversation and the details of ordinary life. This superiority may be ascribed to the language, and still more to the form of government which prevailed so long among that ingenious and polished people. All was referred to the caprice or pleasure of the sovereign: the keen repartee—the pointed anecdote—the dexterous insinuation—the wit of a courtier—the resentment of a fine lady, might alter the course of events, and control the destiny of nations; accordingly, instead of the Exclusion Bill, the Habeas Corpus, and the Revolution, we find the carp of Louis XIV.—the tambour-frame of Madame de Maintenon—the degradation of the legitimated princes—the “*petits soupers*” of the Regent—and the fury of Madame du Prie. Instead of the Rye House plot—of divisions against the court in a great national assembly—we have the “*conspiration des marmousets*” and the cabals of the court

matrons, to supplant Madame du Barri, as an intruder, not, as one of them said, because they hated her, but because they wished to obtain her place. Instead of a pamphlet from Lord Somers or a speech from Lord Chatham, we have a sarcasm from St. Simon or a jest from the Duc de Nivernois. Which-ever nation may have reason to congratulate itself in striking the balance between these advantages, it appears to us that they are certainly incompatible, and that we must be content to sacrifice much delightful reading to the benefit of equal laws and a free government. The work of Mr. Courtenay does not afford any exception to this rule. To the praise of having acquired an accurate if not profound knowledge of English history, he is entitled. He has drawn largely, but perhaps with more copiousness than discrimination, from the sources of contemporaneous history; but his narrative, though on the whole ingenuous and faithful, is occasionally discoloured by party prejudice; his style is that of one, to whom the task of writing for the public eye has become familiar; he has not altogether escaped the defects of those who are in the habit of writing against time; the stream of his diction is not always clear, and his words are not always most appropriate; there is an occasional flippancy of expression, and an affected levity of tone, which strikes us as offensive and misplaced, and of which it would be an easy, but ungracious task, to select instances. This is a fault into which the writer has been seduced, by his desire of giving an appearance of ease and elasticity to his work, and thereby rendering it acceptable to a larger class of readers, but

" Peu de gens que le ciel chérit et gratifie  
Ont le don d'agréer infus avec la vie ;  
C'est un point qu'il leur faut laisser," &c.

Mr. Courtenay makes merry with the dancing of De Witt. " We are not told," says he, " whether this masterly performance was enacted by the great statesman as a *cavalier seul*, or whether Temple, D' Hona, and De Witt celebrated the "triple alliance in a *pas de trois*." When Mr. Courtenay exhibits himself in this frisking sort of style, we think a dancing Dutchman, whether diplomatist or burgomaster, would be but an imperfect type of him in the grotesque.

Natural gravity is better than artificial negligence and affected levity, and we prefer clear narration to forced allusion. Mr. Courtenay's informed and well exercised understanding

enables him to contribute to the substantial benefit of his readers, and he may leave to others, the task of ministering to their amusement.

There is a note in Vol. I., pp. 401, 402, which is, if possible, still more unbecoming than Mr. Courtenay's facetiousness. Mr. Courtenay, not satisfied with denying "an original contract," maintained by Locke, in his Treatise on Government, and solemnly declared by parliament as the basis of the Revolution of 1688, writes as follows.—"Locke's *absurdities* ! "have nowhere been more completely exposed than in the History of the Revolution, in 1688, by George Moore ! (London, 1817.) Moore refers very properly to Burke's Reflections for views of government more correct than Locke's !" How a person of Mr. Courtenay's experience and discretion could be tempted, by the weakness of party or private feeling, to pen this silly remark, is unaccountable. In another place he tells his readers that the Prince of Orange "had been under the guardianship of his mother, but was now under that of his grandmother," &c. and for this new and curious fact he cites "Trevor's Life and Times of William III." &c. &c. Indeed, the besetting sin of this performance, is the constant allusion in the language of disparagement on the one side, and flagrant puffing on the other, to the measures and men of the present age, with which it is everywhere disfigured and debased. We do not speak with any reference to the party character of those opinions which Mr. Courtenay so ostentatiously promulgates.

"Aliud objurgatio, aliud historia desiderat."

It was objected by a great orator, to the doctrine of Epicurus, that it introduced pleasure among the virtues like a harlot among matrons. We object to a practice which degrades history to place her amid the passions, prejudices, errors, and vulgarities inseparable from the politics of the day, which makes her exchange the scales and bandage, the veiled eye and even hand, for the attitudes and weapons of party contention. We denounce a practice which calls up the shades of the illustrious dead to inflame the violence of the living. What can be thought of the soberness of judgment of Mr. Courtenay when he indulges in the dramatic licence of calling up Sir William Temple to hold forth, in his proper person, through a tirade of three pages, against the Whig Reform Bill ? "The necessity of complying with the times, and of sparing per-

"sons," says Dr. Johnson, "is the great impediment of biography." But that Mr. Courtenay, whom the subject which he has chosen, like any other topic of by-gone history, exempts from such necessity; who, without "inflicting a pang upon a widow, a daughter, a brother, or a friend," might have dwelt upon every failing, and detected every error, of his hero—that he should fling away this invaluable privilege, for unwarrantable and wholly irrelevant liberties with the living, does appear to us extraordinary and culpable; and we cannot help regretting that the ardour of his political feelings should have thus misled a man of Mr. Courtenay's character and talent. At the same time we look upon these volumes, notwithstanding their defects, as a valuable accession to the stock of English biographical and political literature.

---

ARTICLE V.

*Spain Revisited.* By the Author of "A YEAR IN SPAIN."  
London: 1836.

*L'Espagne et ses Révolutions.* Par EMMANUEL MARLIANI.  
Paris: 1833.

No book has issued from the French or English press with any just pretensions to giving an impartial account of the momentous events and the great social revolutions which are going on in Spain. The years which have elapsed since the publication of M. Marliani's able and judicious work have witnessed greater changes, more splendid opportunities, and more disastrous errors, than could then have been anticipated by the most discerning politician. Of these occurrences we as yet know nothing beyond the garbled and conflicting statements with which we are furnished by the daily papers. The very pleasing tour which we have placed at the head of this article, supplies little more information on the real social and political condition of the Peninsula, than may be derived from Mr. Lewis's bright and stirring sketches of Spanish life. It is composed of a series of clever descriptions, which are ably drawn and highly coloured: but beneath the vivid aspect of a southern people, the world is watching the gradual progress of a revolution which seems scarcely to have arrested the attention of the American traveller. Nothing, however, can



be more difficult than to form a just opinion of the extent and the nature of the changes likely to take place in the manners and institutions of a country wholly different from the rest of Europe.

The last twenty years have been spent by the nations which took part in the great preceding conflict, in the uninterrupted pursuit of the gifts of civilization and of peace. The click of the loom and the roll of machinery have succeeded to the clash of arms: the most distant and the most hostile nations have been brought into personal intercourse and commercial interchange: the nobler and wilder passions have given way to the cares of profit or the enjoyments of the hour; new wants have been awakened but to be satisfied, whilst common luxuries have softened, and assimilated to each other, the nations of Europe.

This general movement stops, however, at the foot of the Pyrenees; and the Peninsula seems to protest, by its dissent, against the spirit which prevails in the rest of Europe. We are apt to regard this estrangement from our own habits and prospects in the light of a barbarous indifference to the improvement of society, without sufficiently taking into consideration the exceptional character of the Spanish nation. An unfavourable judgement is passed, without reflecting how little the European mould is suited to a semi-Oriental people. It is infinitely more easy to condemn Spain than to study it; hence it has been its continual misfortune to be misrepresented by writers who can neither understand nor forgive the peculiarities of its inhabitants. If we dismiss these prejudices and the imperfect guidance of analogy, the characteristics of a race still half Latin and half-Arab, the nature of the soil, and the beauty of the climate, will readily explain these striking differences. The type of the Spanish nation received no modification from its contact with the Goths, a people of the North, but it amalgamated itself with the Arabs as easily as with the Latins. The successive domination of these three invaders perpetuated a state of warfare, and generation after generation arose to maintain the conflict. At no period in their history did the Spaniards bow to what they regarded as subjection. The struggle with the Moors could only end with their total expulsion from the Peninsula; but although the animosity between the African and the European lasted for eight centuries, the

type of the Arabs is still at the present day the type of the Spaniards. It is this essential and characteristic difference which manifestly separates Spain from the communion of European nations; and it is absurd to reproach her for remaining in the rear of English or French civilization, when that civilization is incompatible with her manners. The Spaniards have a civilization of their own; and the innovations which may be introduced will, for a long time at least, be merely superficial, circumscribed within a few localities, and wholly indifferent to the people at large.

The history of Spain is uniform; in different ages the same spirit breaks out afresh. Numantia and Saguntum were revived at Zaragoza and Gerona: the inhabitants of the former cities, preferring death to submission to the Romans, killed each other on their public ways; and the Arragonese of Zaragoza, at no very remote period, met in their churches to celebrate their own service for the dead, whence they flew to perish in the ruins of their city. The Spanish soldiers of the present day live like the followers of the Cid: the guerilleros make war, as in the days of El Campèador and Pelayo, with bands indefatigable in partisan warfare, and as brave as they are undisciplined. The art of war, properly so called, will never be cultivated in Spain; there will always be excellent guerilleros, and worthless generals. Every new disturbance will rouse a fresh body of bold adventurers, whom no difficulty can repress, no misfortune overwhelm, and who pass their life in daily but inglorious combat, till it is closed by a death no less obscure.

The literature as well as the manners of the Spaniards bears the stamp of an Oriental origin. From Juan de Mena to our own time, the art of poetry has been employed in recounting the exploits of war and the torments of love. The romances and *villoncèros* of Spain, which have been so admirably translated and commented on in this country, are Arab even in their rhythm. Almost all the Spanish poets and historians have been military men\*; and it would appear that,

---

\*Mendoza wrote his History of the Rebellion of the Moors, whilst he was combating it in arms: Boscan was fighting for his country when he composed his inimitable Idylls: Garcilaso was killed at the siege of Nice: Lopez was a soldier: Cervantes was wounded at the battle of Lepanto: Ercilla was equally distinguished for his military achievements, and his poem of the Araucana: Melo wrote the History of the War of Catalonia in which he fought.

amongst so ardent a people, the love of arms is inseparable from the inspiration of poetic genius.

In crossing Andalusia and the kingdom of Valencia, the manners, the language, and the costume of the people betray their Arabian origin. The villages, the rivers, the mountains, and the fruits of the soil are called by Arabian names. That intelligent race made the Huerta of Valencia, not only the most productive, but one of the most populous countries on the earth. Some of their institutions still subsist in all their patriarchal simplicity: thus all questions relating to the irrigation of the country are decided by a tribunal elected by the people. Every Thursday the judge takes his seat before the porch of a church in Valencia; and there, without any greater ensign of his dignity than the wand in his hand, and without any written proceedings, he listens to the lengthy debates of the parties interested, and pronounces a sentence from which there is no appeal. Yet in no case has the judgement thus given been suspected of partiality, or accused of injustice.

It is difficult for strangers, who live in the midst of political changes and social fluctuations, to form a correct opinion of a people so inveterately attached to the traditions and usages of its fathers. In Spain the bad is retained for the self-same reason as the good; namely, a general distaste for innovation, a feeling of respect for the past, and a sense of contentment undisturbed by novel wants: such are the characteristics of the Oriental nations. It is not then to be wondered that the Spaniards, who were so long mixed up with their Moorish masters, should still represent the manners of the Moors in Europe. Like the Africans, they take no care for improvements unknown to their ancestors, and they disdain to extend the range of their desires. Whilst the foreigner laments the absence of the comforts and stimulants of the artificial life he is accustomed to, he must remember that these privations are unfelt by the natives of Spain, and that in no country in Europe is the life of man so rarely sacrificed to his own despondency.

The antiquity of a manner of life which needs no aid of luxury, and asks but little from so prodigal a soil, affords the surest guarantee of its continuance. The same indifference is found, not only amongst the populace, but in men who have travelled, and enjoyed all the advantages of a refined

civilization. On their return, the rude dwelling and the unvarying meal which awaited them, possessed, and still retains, the charms of home and national custom. The occurrences of 1823 obliged a large body of men to emigrate, and to remain abroad for eleven years. The exiles passed that long period in England and in France; but no sooner were they at liberty to return, than they all resumed their former habits, without the slightest alteration.

The sumptuous monuments which adorn the territory of Spain sufficiently repel the charge of barbarism. In the midst of cities where every thing presents the aspect of poverty, the traveller is struck by the architectural majesty of the churches: within whose walls the most precious materials and the rarest skill have been employed, to decorate the spot where man retires to commune with his Maker. But in the midst of all this wealth and splendour, the devotion of the Spaniard is untroubled by a single feeling of envy or regret: the difference which he observes between this gorgeous temple and the hut he lives in, is to him an emblem of the immeasurable distance between himself and his God. He prays with fervent sincerity; and his thanksgivings for the blessings vouchsafed to him are undisturbed by a reflection that the wealth thus lavished on the church he frequents, would have been better employed in mending the road which takes him home. His own destitution will not prevent him from sharing his loaf with the mendicant friar. His life is one of resignation and contentment, which are too stubborn to be forcibly disturbed, and too complete to be tempted by any show of improvement.

We have dwelt for some time on this topic, because we wish to insist upon our fundamental conviction, that the active emulation which drives the population of other countries to perpetual ameliorations does not exist in Spain; and that therefore no reasoning founded upon analogy alone is applicable to that people. Our own view of its condition is founded on an analysis of its peculiarities and its nature. A correct estimate of the events at present passing in Spain cannot be formed without seeking their causes in the past, whose influence is imperishably stamped on the country. We shall, as rapidly as possible, follow back the stream to its source, in

order the better to judge of the irruptions it has made, and of the calamities which at present ravage the Peninsula; and we shall find that the changes now occurring in Spain have a much more remote origin than is generally supposed.

The excesses of royalty, a contempt of those municipal institutions which are the basis of social order on the other side of the Pyrenees, and political innovations imprudently adopted from foreign nations, are the causes of the miseries which now overwhelm the country; whilst other and secondary evils conspire to heighten their disastrous consequences. In the midst of foreign invasions, and in spite of the despotism of the Austrian and French dynasties, the municipal franchise has still maintained its existence in many of the provinces; while throughout Spain, the people have preserved some traditions at least of their rights, which are dear to them. The power of the Sovereign has never been able to create a centre of uniform and energetic action: each province has preserved a physiognomy peculiar to itself; and the origin of the monarchical federation, of which Spain is in fact composed, may easily be traced in history.

The Goths found the Spaniards in possession of municipal privileges; and their monarchy, notwithstanding its military spirit, remained elective. A code of laws was published in 641: at that period the congress of the nation had already assembled; and as early as the ninth century the name of the Cortes appeared in the annals of the country. After an existence of 298 years, the monarchy of the Visi-Goths expired with King Roderick at the battle of Guadalete in 714. The Arabs succeeded in establishing themselves; and several states, more or less dependent on the Caliphate of Cordova, were formed at this epoch out of the dismemberment of the monarchy. The unconquerable repugnance of the natives of the soil to submit to this new foreign yoke, caused a struggle which lasted for 774 years. Each province, in order to give more vigour to its means of resistance, established municipal and provincial laws of local utility, which remained as the reward of ultimate success. Such was Spain at the close of the struggle, when Granada, the last bulwark of the Moorish power, yielded to the sway of Ferdinand and Isabella, January 2nd, 1492. The union of the crowns of Castille and Arragon, and the conquest

of Andalusia, reduced the Peninsula to one kingdom under the sceptre of one king.

The attempts of the regal power to abolish the municipal franchise of the Cortes—which, to use the words of Robertson, “conscious of being one of the most considerable orders in the state, were ambitious of becoming the most powerful”—soon led to civil wars. The Commons of Castille, who were then better acquainted with liberty than any other people in Europe, were overcome at the battle of Villalar; and Charles V. stifled the last protest of freedom in the blood of those generous citizens. The efforts of the Austrian and French dynasties have uniformly been directed to annihilate the ancient franchises of the provinces.

After the war of succession, Spain relapsed into a state of apathy, undisturbed by any intellectual or political movement. Under the monarchs of the French dynasty, she continued to lead that degraded existence to which the sovereigns of the House of Austria and the Inquisition had already reduced her. The absence of political excitement, which lasted for more than a century, the oblivion of her past glories, and the entire prostration of the physical and moral resources of Spain, afforded deplorable but unequivocal symptoms of the decline of that great nation. On the 2nd of May, 1808, the cannon of the French invader was heard in Madrid; its echoes resounded from every corner of the Peninsula, and awoke the slumbering recollections of the glory of ancient Spain. The world was astonished at this sudden uprising of an almost forgotten people, and at the ardour with which masses of men pressed forward to defend the soil of their country. In all the great dangers which threaten the independence of nations, the sovereignty of the people exerts its preponderating force, and inspires an enthusiastic energy; whilst the provisional powers of the state disappear in the presence of so terrible a convulsion. In those trying days the name of the Cortes became, as it were, the rallying cry of ancient times; and that imperishable standard of public liberty which had been beaten down upon the field of Villalar, was again reared in the midst of the struggle. The Cortes were convoked; a constitution was framed, bearing some points of resemblance to the ancient laws of the country, but too closely modelled on that of 1791 to become the

safeguard of the national rights of Spaniards. The sovereigns of Europe hastened to tender it their recognition, but the Spanish people refused to adopt it.

The great error of the representative Cortes of 1812 was that they abandoned the ancient forms too readily, and paid too little respect to those old institutions which embodied the popular as well as the aristocratical and ecclesiastical element\*. Their work, which was an imitation of the French system, was destitute of a solid basis. The people did not understand the written charter, whilst the higher classes, wounded by the leveling spirit of the democratical theories of Cadiz, opposed it. In this isolated and unsupported condition, the constitution of 1812 crumbled away under the first shock; and Spain passed at once from unlimited freedom to the gloom of the most frightful despotism.

Ferdinand VII. had little difficulty in destroying the creation of a pure but unreflecting patriotism. Scarcely had he escaped from the prison of Valençay, and set foot upon the soil which still reeked with the blood of the victims sacrificed for his deliverance, when the liberties of Spain were again annihilated. All promises were forgotten, the highest services were repaid with contempt, and the laws of humanity were violated. The most horrible persecution of the liberal party commenced; and it seemed as if the number of victims was too small to satisfy its violence. From 1814 to 1820, the insatiable tyranny of the sovereign abandoned itself to all the instigations of his worst advisers. At the close of a devastating war, the wounds of the state were widened by the financial disorder of the country: the public administration was given up to spoliation of every kind; and the treasury was exhausted by distant expeditions, in which the best troops were sent to perish in a destructive climate.

It was at the time when a final expedition was prepared on the shores of the Atlantic, that the army raised the cry of liberty, and the entire Peninsula re-echoed the sound. The

---

\* In the work placed at the head of this article M. Marliani gives an interesting comparison between the ancient laws of the *fuero juzgo*, and the principles laid down by the Cortes of 1812. That Cortes had been originally formed in perfect harmony with the oldest customs of Castille, Arragon, Catalonia, and Valencia.

constitution of 1812 was proclaimed anew, and Ferdinand swore to observe its provisions. So firmly was it believed that a regeneration had been effected, unpurchased by a tear, that the simplest precautions for the preservation of the rights of the people were forgotten in a general eagerness to efface the remembrance of six years of misery, and to bury in a magnanimous oblivion an epoch of cruelty and oppression.

The same error was again committed in 1820 as in 1812. The fall of the constitution in 1814 had marked the defeat of a party; that defeat was turned against the liberties of the nation, and the excesses which were simply *democratic* were asserted to be inherent in the popular element. The national character was not understood; the reform of the ranks in society was confounded with that of abuses in the administration. The Spaniards were addressed in 1820 just as the French had been in 1790; but no support was gained from the people. The nobility and the clergy resisted all attempts to reduce them to equal privileges with the people, when they felt the strong sympathy which existed between them and the mass of the population, springing from the good offices they had rendered to their inferiors, and cemented by an habitual respect to their social superiority. Thus it was in the provinces, where the abolition of seignorial rights might naturally be supposed to rally a large body of partisans to the constitutional system, that the counter-revolution became most general. Instead of recurring to the exercise of the municipal system, everything was erroneously expected from mere political innovations; and the natural consequence was a complete failure.

Violent dissensions broke out among those whom a common interest and a common lot ought to have united in a firm union against the common enemy. The discouragement which inevitably followed such internal discord paralysed the nerve of the revolution, and the constitutional force and energy of the country was exhausted and destroyed. The Spanish counter-revolution called to its aid the re-actionary government of France, and the Peninsula relapsed a second time into a degrading slavery.

The death of Ferdinand marked the close of this fatal period. His reign, which exhausted all the abuses of despotism, is the real barrier that keeps Don Carlos from the throne. Regarded



in this high moral point of view, the various phases which the life of Ferdinand presents, appear as providential acts. His persecutions, which exasperated the generous-minded, opened new prospects to the more enlightened classes. They feel that there is no longer any future hope for themselves, except in the establishment of a legal government, and they now make common cause with the constitutional party.

Here commences a new æra, essentially different from the two periods which preceded it: the field of discussion is enlarged; fresh motives arise; the object in view is no longer the same; and the number of adherents to the cause of reform becomes immense. The present struggle is not in support of any visionary philosophy; the object of the liberal party is no longer to compel the crown to yield obedience to the laws; but its very existence is at stake—an existence which is deemed incompatible with the reign of Don Carlos.

Thus, since the events of the Granza, in September 1832, the highest nobility of Spain has been the first to declare itself against the brother of Ferdinand. The country, following that example, and beholding the landowners and merchants oppressed and thrown into prison, the soldiers stript and reduced to beggary, reflects on its position and demands a new order of things. The sight of the flag of the Inquisition, ready to be unfurled by fanaticism, was the signal which called the people to arms: the National Guards formed themselves into close columns, to oppose the triumph of the absolute party; and nothing was required to render this general movement unanimous, but the people, whom an incompetent ministry neglected to summon to this alliance of the intelligence, the wealth, and the property of Spain.

The apathy of the people is the result of those utopian schemes of policy, which are thrust upon the Spaniards by men still imbued with doctrines of foreign growth. Liberties congenial to the Spanish nation and Spanish institutions were required, not a charter conferring no rights upon the enlightened classes, and putting a check upon the ancient and independent usages of the country. The fact was not duly recognised, that despotism had proved itself powerless against the mass of the people, living under the shelter of municipal institutions, bad as those institutions were; and that the

abuse of the royal prerogative was only felt by the upper classes congregated in the cities, where the action of the government exercised all its force. Spain required to commence her regeneration by an administrative revolution, and thus to arrive at a political revolution. It is because she has thrice reversed the natural order of her emancipation that she has twice failed, and that the third effort has caused the outbreak of a dreadful struggle. After the ministry of Zea, who was the creature of absolute government, and who viewed the situation of Spain only in the light of a political question, Martinez de la Rosa was called upon by the moderate party as the representative of constitutional opinions.

It was upon a soil which had been shaken by such repeated convulsions, upon an arena agitated by so many passions, fears, and hopes, at a period when a question involving the fate of a dynasty rendered a state of things already harassed by so many difficulties still more complicated,—it was at this crisis that Martinez de la Rosa introduced a new schism into Spain by the proclamation of the *Royal Statute*—a weak imitation of the French charter, with all its formalities and none of its guarantees. The people were as ignorant of the Royal Statute as they had been of the constitution of 1812; and as the Statute was, if anything, still further removed from the ancient usages of the nation, it was received with still greater indifference. This charter betrayed its French origin in every clause; new expressions, borrowed from the parliamentary vocabulary of a foreign people, incessantly offended the ear, and this too in a country where nothing unstamped with the seal of nationality can ever become naturalized.

The two years which have elapsed since the Chambers created by the Royal Statute assembled, have been inconsiderately wasted in useless and angry discussions. The poorer classes, whom the civil war has still further impoverished, remain without relief; the ancient abuses in the administration have been allowed to continue, whilst new ones have arisen out of the existing state of things. The ministers, instead of fixing their attention upon Navarre, and concentrating all their force to terminate the horrors of civil war, thought only of subduing the independence of the Chamber of Procuradores. They perverted the system which they

wished to establish, and changed the line of conduct which the representatives of the nation were inclined to adopt. Thenceforth the reform of the administration was abandoned for party questions; and the efforts of the opposition ceased to have any other object than the overthrow of the ministry. The evil reached its climax, when a general insurrection of the provinces accomplished the object which the Chambers had been unable to attain.

The insurrection of August 1835 produced no other result than the fall of the ministry. Before we discuss the acts of the ministers who came into office on the 14th of September, and the second period of the Royal Statute, we propose to cast a rapid glance over the state of the administration of the country; and this examination will lead to the rational conclusion, that the primary cause of all the miseries of Spain rests in those abuses, the reform of which ought to have been the fundamental principle of a new system. Such was the opinion and such the purpose of the Elective Chamber; until the imprudence or the presumption of the ministers made a dangerous appeal to the passions of the legislative assembly, and kindled that flame of party warfare, which has been but too fiercely kept alive, and which threatens destruction to the best interests of Spain.

The Peninsula is the classical soil of administrative abuses of every kind, which have dried up the sources of the public prosperity during the three last centuries: the two preceding reigns especially carried the disorder in the finances to its height. Charles IV., whom nothing could tear from his profligate habits, abandoned the reins of government to a lavish favourite, who after having disposed at his caprice of the treasures of Spain and of the New World, is now, by a just retribution, in a state bordering upon penury. Such was the prodigality of the reign of Charles IV., that in a journey made by the Court to Barcelona to receive the Princess of Naples, who was betrothed to the Prince of the Asturias, the cortége consisted of ten thousand persons, all travelling at the expense of the state.

The devastating war which lasted from 1808 until 1814 followed the profuse reign of Charles IV. We have already stated the course which the crown adopted from 1814 to 1820,

to heal the wounds of the state: the second epoch of the constitution did not restore order to the finances; and whilst the destruction of what already existed and the piecemeal demolition of the old system engrossed the general attention, no one was able to substitute a better one. In the midst of these difficulties the disorder became excessive, and the evil was increased by ruinous loans. Ferdinand, whom the invasion of 1824 had raised to the plenitude of absolute power, abandoned the fortune of the state to the mercy of money-lenders: the amount of the loans contracted rose to the frightful sum of seventeen hundred and fifty millions of reals, of which he did not receive even the fifth part. From 1823 until his death, the annual expenditure of Ferdinand was a hundred and twenty millions of reals: the number of officers of different kinds dependent on the palace amounted to four thousand. The total neglect of agriculture, the gradual decline of commerce, and the entire absence of manufactures, left to certain classes of society few other means of subsistence than that of places under government. The worst administrations are those which are encumbered with the greatest number of functionaries; for, as in every change of system, a removal of officers takes place, entitling the old servants who are dismissed to a pension, the result is an insupportable burden upon the state. Many offices have been remunerated two or three times over, and the number of public servants on half-pay, in December 1835, including other classes no longer on active duty, amounted to twenty thousand.

If this be the state of the civil list, the military list presents a no less frightful picture. It would be difficult to credit the following statement, were it not taken from as authentic a document as the Royal Almanac. The staff of the army of Spain consists of 621 general officers; but in this number there is not one individual to whom the army can be entrusted. The command of the troops in Navarre has consequently devolved upon Cordova, who was an ensign in 1823, and attained the rank of general through court favour under the reign of Ferdinand VII.

Whilst the public administration needs a fundamental reform in the number of its officers and in the performance of their duties, the agricultural interests, upon which the charges of so

many sinecures weigh, no less imperiously demand the revision of the absurd laws invented by the rich for the oppression of the poor. Can anything be more monstrous than the privileges of the tribunal of the *Mesta*, composed of the richest sheep-owners, who forage whole provinces with an utter contempt of justice and the rights of the people? Every large proprietor of migratory flocks makes common cause with the *Mesta*. He has the right to drive his sheep wherever he pleases in their passage from the mountains to the plain; on their return they trespass over the fields of the labourer, who has no power either to oppose their inroads or to claim an indemnity, and in the night they halt where they choose. The owner of a forest or a pasturage has not the power of letting his property to the highest bidder; the agent of the *Mesta* appears, values the land in question, and in virtue of what is called the right of *tanteo*, he assigns the occupation to himself at his own price. The proprietor is obliged to submit, however great the robbery which he suffers. He has, indeed, an appeal to the exceptional court of the *Mesta*, which, being at once the judge and the interested party, invariably sanctions the contract made for its own profit.

No person can regulate the time of his vintage or harvest without a permission from the authorities; and as it is the interest of the rich to get in their crops as soon as possible, they secure all the disposable hands, and the small farmer is obliged to wait at the risk of losing his crops. The right of bruising olives is another monopoly: the scarcity of mills obliges the unhappy cultivator to lose whole months in awaiting his turn, whilst his olives rot in heaps, ferment, and lose their oleagenous juice. The owner of the mill, secure of his privilege, takes no pains to improve his machinery; so that frequently the olives of one crop remain until the following year, without any of the produce being realized. It would occupy too much space to enumerate the abuses which depress agriculture, and ruin the miserable peasant in the various difficulties of his arduous existence. But when the stranger traverses the vast desert plains of Spain, and views the decay of agriculture, let him not censure the indolence of the inhabitants of that unhappy land, but rather the pernicious legislation of a government, whose sole boast it has been to destroy the

municipal franchise, which once served to protect the poor against the privileges of the Court.

The Spanish people have few wants, and their constant and ever-increasing misery during three centuries scarcely leaves them the means of supporting their manufactures. The thinness of the population is also an obstacle, for the arts of industry must be neglected in a country where the land itself is in want of hands to till it. Notwithstanding this, severe custom-house laws have been framed (with the view of protecting what, in fact, does not exist), which press upon the products of foreign industry with an exorbitant weight of duty. The contraband trade sets these enactments at nought, and becomes the ordinary means of commerce, to which the entries at the custom-house are only the exceptions. This encourages the immorality of the officers, who make a traffic of their duties, to the detriment of the treasury; so that, in fact, the revenue from the customs is reduced to nothing. Would it not be more politic and more just to reduce the imposts, to give the people a taste for the manufactured necessities of life at a very low price, and then gradually to raise the duties in proportion as the consumption should become more general? The capitalist, when he saw a sure market for his goods, would establish manufactories of articles which had passed into common use. Under the present system nothing is protected, manufactories do not exist, and the people are in rags; whilst the most frightful immorality reigns amongst the agents of the customs, and legions of armed and disciplined smugglers are in open war with the government. In reviewing the acts of the administration of Spain, it seems that the only result has been *disorder*, and the increase of those obstacles which oppose the prosperity of the people. We will cite one fact from a thousand.

Near Valencia, on the road to Madrid, there is a fine bridge unfinished. The Jucar was to have been turned from its course, and made to pass under this bridge; but this improvement was obnoxious to the interests of the Duke de l'Infantado. He opposed the projected construction which nevertheless continued; but when the works were on the point of being finished, he succeeded in obtaining a judgment declaring that the bridge was unsafe and could not be completed. The

works were stopped, and for many years the materials have been lying ready prepared at the foot of the bridge, whilst the Jucar is still crossed in a miserable and dangerous ferry-boat.

We have said enough to prove the necessity which existed of directing all the ability of the newly created Chambers against this assemblage of absurd laws and injurious privileges. An enlightened administration would have swept off the abuses which oppress the people and the agriculturists; the lower classes in the rural districts would then have breathed more freely, and the workmen of the towns would have found a source of productive labour. The mass of the people would have seen that a new æra was opening to them, and they would have been induced to examine that new system which brought relief to their misery. The municipalities charged with the execution of beneficent laws, in harmony with the popular notions, would have acquired an influence they do not now possess, to render acceptable theories as yet inapplicable. The authority of the Government might, without difficulty, have terminated the civil war; for every Province would have been eager to relieve itself from the ravages of men who could have found no supporters amongst a reformed and regenerated people. We do not accuse the Chambers of having failed in their duties, which they were not slow to understand; but the ministry was composed of men who believed that in establishing centralization they were creating force; they conceived the idea of giving the same importance to Madrid as Paris possesses in France, and that being once masters of the Chambers they should acquire the control over the country: they alone were censurable.

Amongst those who have held the direction of affairs since 1834—the authors or continuers of the Royal Statute—there are two individuals who seemed placed, by their difference of character, in continual opposition to each other. They nevertheless united in the pursuit of apparently the same objects, toward which the one advanced as a mere visionary, the other as an adventurer devoid of any political conviction. We allude to Martinez de la Rosa and to Toreno.

Martinez de la Rosa was elected deputy to the Cortes of 1812. He distinguished himself by his eager patriotism, and by his enthusiasm in the regeneration of Spain. Ferdinand

VII., in 1814, caused him to be arrested and confined in the dungeons of Melilla. Whilst there, Martinez supported his misfortunes with exemplary courage and fortitude. His liberty was offered him as the price of a retractation of his opinions; he refused it with dignity. The government then attempted to work upon the weakness of its prisoner, and offered to be satisfied with a recantation made by his mother: he repelled the disgraceful subterfuge with scorn. The revolution of 1820 released Martinez from his fetters, and, in recompense for the sufferings he had borne with so much courage, Granada again returned him to the Cortes, broken as he was under the blows of despotism. Either from the weakness caused by the tortures he had undergone during a six years' imprisonment, from dread of the future, or from the influence of foreign principles, Martinez de la Rosa, when restored to liberty, and once more a representative of the people, was no longer the resolute supporter of the constitution of 1812. Thenceforward he only appeared to dream of a visionary system, to establish which he laboured with all the tenacity of conviction peculiar to his character; and a charter upon the French model became the fixed idea of his mind. In his ministry of 1822, there is every reason to believe that the events of July 7th had no other object than the triumph of these views—an opinion which is confirmed by the promulgation of the Royal Statute, the production of Martinez de la Rosa when he was re-appointed minister in 1834.

Gifted with an expressive physiognomy admirably adapted to the play of his eloquence, in which there is more of harmony than of solidity, more of the rhetorician than the parliamentary orator, he carries away his hearers without persuading them; and although he would remain the master in a discussion if the Chamber came to a division under the influence of his oratory, his speeches cannot sustain the collision of a debate, even when opposed by an orator of inferior talents. Martinez de la Rosa has none of the requisites for a statesman: exclusive, obstinate, and presumptuous, his own narrow ideas are to him as incapable of modification as mathematical demonstrations; his policy was led by a blind infatuation, but his honesty has never been suspected even by his enemies.

His late colleague, Don José Maria, Count of Toreno, was



chosen deputy of the Asturias in the constituent Cortes of 1812. By a singular and very honourable exception, the Cortes waived the rule of eligibility in his favour, as he had not yet attained the age fixed by the law. The services he had rendered in 1808 by his exertions in the insurrection of the Asturias against the French army, and his mission as envoy from that province to London, procured him this flattering distinction. In 1814 he was obliged to take shelter in a foreign country from the dangers consequent on the reaction in Spain. In the debates in the Cortes, to which he was re-elected deputy in 1820, he exhibited proofs of an extensive acquaintance with finance, which he had acquired during his residence in France and England. He at this period took no active part in politics, and quitted Madrid at the close of the legislative session.

• The Count Toreno has a clear head, versatile talents, and astonishing powers of debate : he is the most parliamentary man in Spain. His practical and precise views introduce wonderful clearness into the discussions ; whilst, under the appearance of a coolness which rarely abandons him, he conceals an extreme audacity. He does not easily bear contradiction : his imperturbability never forsakes him, but his bitter sarcasm betrays, under the most polished forms, the irritability of his character. His sympathies would have induced him to join in the revolutionary movement, had he not been led by his habits and his taste for luxury and ostentation to prefer the power of a minister to the popularity of a tribune. The Count Toreno might have founded a legal and established order of things in Spain ; but neglecting the purer fame of the patriot, he supported the puerile theories of Martinez de la Rosa, not from conviction, but under the influence of base and mercenary motives. On his return to Spain, in 1834, in a state of great poverty, he declared against the system of Martinez de la Rosa, who, fearing so powerful an enemy, placed him in the financial department of the ministry, in the place of M. Imaz. Toreno contracted the Ardouin loan, and his fortune changed at once from great pecuniary embarrassment to splendour and opulence far beyond the scanty means of a Spanish minister.

A serious crisis was approaching during the administration of Martinez de la Rosa, which broke out under that of Toreno ;

juntas were formed in all the provinces against that minister, and the authority of the government was confined to the capital. Then it was that the projected system of centralization appeared in all its inefficiency. The passive obedience of Madrid could not save Toreno, notwithstanding the boldness with which he threatened the juntas the very evening before his fall.

In the midst of this general disturbance, a man of obscure rank, and unknown to most of the individuals who formed the juntas, appeared. He arrived at the summons of the minister who was the object of so much animosity. Mendizabal appeared at the moment when the isolated juntas of the people had exhausted all their energy. The Count de las Navas, who alone saw through the character of the new aspirant, was unable to prolong it for a single day; there was an instant when he might have given a new impulse to the revolution, but notwithstanding his ardent and ambitious mind Navas wanted resolution.

An adroit statesman would have been able to turn the juntas to great account, by disciplining them and giving them a legitimate character: this design however was too vast for the pretensions of a speculator on the Stock Exchange of London. Mendizabal, who had passed his life in the transactions of the Exchange and army contracts, was unable to comprehend the elevated position to which he had been raised by a caprice of fortune. Incapable of any great conception, and reducing the revolution to the narrow limits of his mercantile spirit, he sought to overrule the juntas, and to establish order, with a view of demanding money from the nation for the miracle of peace.

Before we consider the acts of the minister, we should, perhaps, describe the man who engaged the attention of the world for some months by his extraordinary position, and his rare inability to fill it.

Don Juan Alvarez Mendizabal, was born at Cadiz, where his grandfather Alvarez kept a cloth-warehouse. The families of Alvarez and Mendez, of reputed Jewish origin, always intermarried. The present minister, the issue of one of these alliances, changed his mother's name into that of Mendizabal. When very young, he was engaged in contracts for the army

by Don Vincente Beltron de Lis, with whom he afterwards entered into partnership. Mendizabal took an active part in the conspiracy which broke out January 1st, 1820. He was the companion of Riego. When success crowned that memorable enterprise, Mendizabal made no demand upon the government, and resumed his own commercial occupations. In 1823, he undertook to supply the provisions of the army in Cadiz, and experienced heavy losses in the negociation of bills of exchange upon the Consul of Spain at London, Machado, who allowed them to be protested. After the surrender of Cadiz, Mendizabal emigrated. He was arrested in 1824 for mercantile debts, at the suit of an Englishman, who claimed the payment of 2000*l.* sterling. Mendizabal, in his turn, imprisoned Machado in 1825, brought an action against him for about 80,000*l.*, and gained it.

Mina, in his projected expedition of 1830, received from Mendizabal a generous and active co-operation. Besides his own personal exertions, he contributed 500,000 francs. On the failure of this attempt he returned to London, and became the financial agent of Don Pedro. It was at this period that his name became known abroad, but his reputation was so little appreciated in Spain, that on his becoming a candidate at Cadiz in the elections of 1834 he entirely failed.

Ever active and enterprising, Mendizabal formed the idea, in 1835, of raising an English legion for the service of Spain. The news of this project (which was approved of by the Cabinet of London), and the declaration of our government in favour of Isabella II. reached Madrid at an instant when Count Toreno was embarrassed to find colleagues in the formation of the new ministry, with which he was charged. Mendizabal appeared to him a man fertile in expedients, from whom the exhausted treasury of the state might derive valuable services. He did not hesitate to name him minister of the Finances, in which act, to use his own expression, he followed a sudden inspiration, a *coup de tête*. Mendizabal accepted the appointment and was obliged to delay his journey for the settlement of his affairs in Portugal, whither he shortly afterwards went. He arrived at the moment of the general insurrection of the provinces—decided to take office under Toreno. Nor did he alter his opinion until he had become acquainted

with the manifesto published by that minister on September 5th : from that time he meditated his overthrow : and on his arrival in Madrid, he was powerfully seconded in this object by Mr. Villiers, the English ambassador.

The characteristic traits of Mendizabal are carelessness and presumption. Hence arises his entire want of deference to the counsels of the friends whom he continually calls around him, but to whom he never pays attention, without however openly contradicting their views. His restless imagination never allows him to dwell five minutes together on one idea. He is more ready to make promises and to contract engagements, than to fulfil them. During his administration all his acts were distinguished by their inconsistency ; and the shifts to which he had recourse to maintain his power were merely the intrigues of a mind devoid of elevation. He is better formed for the manœuvres of a political agent, than for the candid, enlightened, and judicious conduct which becomes the minister of a great nation. His speeches from the tribune, which have been revised, corrected, and singularly embellished by the journals, were mere empty tirades, delivered with infinite labour : but, nevertheless, his vanity made him believe that he ruled the Chamber by his eloquence.

The following anecdote is sufficiently characteristic of the man :—

One of his most intimate friends one day advised him never to speak in the Chambers, assuring him that he injured himself by his bad speeches. Mendizabal, astonished at this excess of sincerity, contended that a Chamber might be led without any great gifts of eloquence, and cited, in support of his opinion, the influence which Lord Althorp had exercised over the House of Commons in England. His well-meaning adviser could never have succeeded in persuading Mendizabal that there was an immeasurable distance between him and Lord Althorp ; but the first great shock made him feel it.

After the fall of the Count Toreno, the storm which he had raised subsided. We have already said, that the juntas had reached the limit of their power, and eagerly seized a decent pretext to dissolve themselves. They hastened to recognise in Mendizabal all the qualities of a great man. Full

committee charged with the defence of the Electoral Bill united with the ministry; but in the discussion of January 24th, he retracted in presence of the Chamber, failed to fulfil all that had been agreed upon, and was left in a minority. The same evening the dissolution of the Cortes was determined on. On the morning of the 25th, Mendizabal had again changed his mind; and it was with great difficulty that he could be prevailed upon even to allow of the adjournment of the discussion, in order to deliberate upon the course to be adopted. On the night of the 25th and 26th, the ministers convoked a privy council, consisting of the Procer Gil de la Cuadra; the president of the Elective Chamber, Isturiz; the deputies Arguelles and Galiano; Sancho the secretary of the Council; and the civil governor of Madrid, Olozaga. The dissolution was definitively settled, and it took place on the 27th.

The vicissitudes and the result of this discussion of the Electoral law deserve to be known. On January 8th Mendizabal had declared to the Chambers that he should not make it a cabinet question. On the 12th he half retracted. On the 17th he assured the Chamber that he should not dissolve it until the eve of the day when the deputies elected under the new electoral law should assemble. On the 27th the Chamber was dissolved.

Unfettered by any obstacles, absolute master of his colleagues, and armed with a vote of confidence which granted every thing and gave nothing, Mendizabal yielded himself without measure or restraint to the inspiration of his destructive genius. He successively made and unmade, changed, and amended a multitude of decrees of the most disastrous kind. On February 19th, he abolished, by a stroke of his pen, all the convents of monks and religious confraternities. He seized their property, which he intended to apply to the liquidation of the debt. He transferred the passive to the active debt, and thus burdened the nation with an enormous amount of interest. Every decree which he issued to raise the sinking credit, was followed by a fall in the funds. Measures so violent, unjust, and impolitic, shocked the people. The higher classes denounced their absurdity; for they perceived that such steps were of themselves sufficient to bring the

constitutional reform of the country into complete discredit. We have shown how fatal the imitation of the French principles of 1798 was in Spain. The distaste of the population for similar innovations is far less the effect of a political antipathy, than of the painful feeling which they experience at seeing the sudden overthrow of their ideas and the systematic contempt of traditions which they hold in respect, without any substantial concomitant benefit. In the suppression of the convents, and above all, the inhuman expulsion of the monks, the public feelings were moved more by a sense of justice and pity, than by an attachment to superstition. That brutal spoliation, committed in the name of liberty, was generally and loudly condemned by all classes. We shall not cease to repeat, that the greatest obstacle which the political regeneration of Spain has to encounter, lies in an attempt at reform based upon the erroneous principles of the French revolution. The Spaniards of the present day have not advanced beyond the principles of the Constituent Assembly in the science of political innovation; without measuring the immense progress which the science of political economy has made since 1789. The errors of the Convention seem to remain unregarded, whilst the middle classes of Spaniards have not the energy, nor the lower orders the enthusiasm, of the French at that period. Instead of profiting by that experiment, and avoiding a repetition of it, they conclude, on the contrary, that what was done in France must also be attempted in Spain. The French revolution triumphed *in spite* of its errors, because the people took a part in it; whilst in Spain the people are indifferent, and often hostile, spectators of the struggle. With elements altogether different they attempt to imitate a system which is in itself radically false.

The abolition of the convents, as religious institutions, would not have been repugnant to the people. The scandalous, lazy, and ill-regulated life of the monks in general had long lost to them the character which commands respect. Recruited from the lower classes, their blind ignorance deprived them of all intellectual influence: the moment was come to abolish them; and the suppression of the convents was an immense advance. But although their authority as

priests was altogether worn out, they were still beloved by the people as easy, charitable, and unselfish landed proprietors : they generously relieved the poor ; and the farmers experienced no great rigour in the exaction of their rents. So sudden a spoliation seemed the more iniquitous, as at the same time it injured a number of private interests : a feeling of private wrongs was mixed with that of public justice ; the poor were left destitute, and the peasant was well aware that the new occupant, more busied with his own interests than the monks whose minds were harassed by no care for the future, would prove much more severe in his demands. A people has unquestionably the right to maintain a strict watch over the institutions which exist in its bosom. If the moment for the abolition of the convents was arrived (and we have already said that such was the case), the nation had an undoubted right to suppress them ; but an act of spoliation is a mere abuse of brute force.

Nothing was more easy than to have gained over the monks to the new order of things. In abolishing the institution, the rights of property ought to have been respected. Why not have allotted those corporate possessions amongst the persons who were equally interested in them, and thus have bettered the condition of those classes instead of reducing them to beggary ? They are first stripped of all they possess, and then they are accused of hostility to the government which has plundered them. The wealth of the convents was composed of the bequests of pious benefactors, who, although they might undoubtedly have bestowed their riches more usefully, exercised an incontestable right in disposing of it at their pleasure. By the division of the wealth of the convents among the surviving monks, their life interest would have been converted into absolute possession ; new and extensive interests would have been created ; and the government would not only have secured to the throne of Isabella II. the attachment of these 30,000 individuals who are now the objects of fear and persecution, but also that of their families who would have had in prospect the inheritance of the newly created proprietors. The lands would have been parcelled out, and the government have increased the number of contributors to the public charges. Lazy and dissolute monks would have become useful citizens and

productive cultivators of the soil; for it must be recollected that they nearly all belonged to the poorer classes. The dictates of a sound policy would have based reform upon principles, and above all upon facts, which might have rallied and combined the elements of social order instead of dispersing them; and it was of the first necessity to conciliate allies, not to create enemies, whom the misery of the country, and the immorality which is its inseparable attendant, had already so greatly increased.

But a contrary course was followed, and its consequences are already felt. Absurdity was added to injustice: the government, which was before in possession of immense territorial property, has only experienced an additional charge. In a contest, the issue of which every one may prognosticate according to his own hopes and wishes, a certain degree of doubt and of distrust of the future always exists, which produces the greatest circumspection. Hence the church property will either find no purchasers at all, or will be sold at an extremely low price. The taxes levied upon landed property will no longer be paid; or if they are, the revenue from them will be swallowed up by the collectors, whose dishonesty is proverbial in Spain.

The government, on the other hand, has engaged to pay every member of a religious order five reals\* a day; an enormous charge, considering the number of individuals belonging to these classes, and one which the treasury can never support. The act of spoliation will be followed by a breach of faith, in a treaty wherein the government has been the sole arbitrator. The violent expulsion of the monks, with no other indemnity than the promise of a daily allowance, has been a great social, political, and administrative error. The government has recoiled from such a measure for the female convents; and after having decreed it, they have almost abandoned its execution.

Whilst Mendizabal was overthrowing and levelling everything, without restoring any of the sound institutions of the country, the new elections for the Chamber of Procuradores, which he had dissolved, took place. No exertions were spared by the civil and military governors of the provinces to

---

\* The value of the real vellon is 2½d. in English money.



effect the return of the agents of the government. Mendizabal would have been glad to concentrate the authority of the Chamber, as he had concentrated that of the Cabinet, in his own person; he was, however, contented with seven nominations, having a Chamber mainly composed of his subalterns, not one of whom was legally eligible—a deficiency which was remedied by fictitious conveyances of property. All the party of Toreno and Martinez de la Rosa was excluded, with the exception of the Marquis of Sumeruelos. Thus a Chamber was constituted, null in effect, and servilely devoted to the government.

On the approach of the meeting of the legislature, Mendizabal renewed his proposals of office to Isturiz, who had presided over the former Chamber with great tact and ability. Isturiz declined the honour which was proffered him with nobleness and dignity; Mendizabal felt the importance of so significant a refusal, and his wounded vanity prompted revenge. By dint of intrigues he procured the removal of Isturiz from the provisional presidency of the new Chamber, which had been unanimously conferred upon him on the 17th of March. This act of treachery caused Isturiz to take his place on the opposition benches, where he was surrounded by the few men of independent principles in the Chamber. Explanations full of acrimony ensued between the minister and the leader of the opposition, which terminated in a duel. The union in the same ministry of two men so essentially different was an impossibility.

Don Xavier Isturiz, deputy for Cadiz, is a man of integrity and patriotism; and he has sacrificed an immense fortune to the cause he has espoused. As a deputy to the Cortes of 1822, he was obliged to emigrate in 1823. In his parliamentary capacity he rules the Chamber in which he speaks or presides, by the energy of his character, by his incontestable ability, and by his concise and penetrating eloquence. Isturiz would unite the qualities of a statesman in the highest degree if he joined a calm disposition, serenity of mind, and a cool head, to his other talents. Formed to command, he is incapable of obeying, even the course of events; but his subsequent entry into power must be regarded as a new æra in the government. His administration will be stamped by the energy of his character; and he may be able to command obedience, because

he will govern with tact, justice, and great decision. His policy will be guided by clear and fixed principles, and his course will be uniformly the result of a decided system of policy. It may easily be understood that a character like that which we describe, could not associate with Mendizabal.

Don Antonio Alcalá Galiano is the most eloquent orator in Spain. He ranged himself in the Chamber by the side of his friend and colleague Isturiz. His speeches are master-pieces of extemporaneous eloquence, which no opposition or difficulty can stay; whilst his prodigious memory enables him to recapitulate or to refute, unaided by notes, the conflicting opinions which have been uttered in the longest debate. His voice and manner give a dramatic originality to his diction; nothing can turn him from a purpose he has formed, which he pursues with unwearied ardour and attains with unusual adroitness. The opposition is the proper sphere for so formidable an adversary; for it is there only that all the energies of his mind are called into action. As the champion of the minister in the lower Chamber against Toreno and Martinez de la Rosa he was feeble and commonplace; but in the opposition Galiano was at his ease; in his censures and denunciations his eloquence takes its loftiest flight, whilst it is depressed and embarrassed in the circumlocutions of a ministerial supporter.

The Count de las Navas, deputy for Cordova, took his seat upon the same bench; his zeal in denouncing ministerial abuses during the late administration was indefatigable. He daily appeared in the tribune, armed with a list of grievances and complaints; and his speeches, animated by acuteness and vigour, served as the vehicles of his sympathy with the people, for whom they were designed: he is the disinterested advocate of the mass of the population; and his language is that which the people would employ if they had to plead their own cause.

Upon the opposite benches, the only distinguished character is Don Agustin Arguelles, deputy for Oviedo. Age, misfortunes, and sufferings from imprisonment and exile, have almost robbed him of the appellation of "the Divine," which was once bestowed upon him. He is still surrounded by the veneration which his noble character entitles him to, but he possesses no real influence. Arguelles was never a great

politician ; he has been through life swayed by a passion for the good of his country, without ever having possessed the secret key to its attainment. He has never been able to stand in the ranks of opposition against any government ; for if he may have occasionally been prompted by the purity of his convictions to pronounce a timid censure, it has always been so disguised in cautious phrases that his words have sounded more like approbation than dissent. Although he at times rises into eloquence in debate, his set speeches are always cold, monotonous, and measured : his style is imbued with religious solemnity, which wearies by its very softness ; and it seems more appropriate as the language of a good pastor to his flock, than as that of a deputy of the people delivered from the tribune. In a word, he is an actor in the great drama of 1812, worn out by the length of the struggle, whose last trial is that of outliving the powers of his own mind.

We have already described the composition of the elective Chamber, and our readers may judge of the hopes it is calculated to raise. The Chamber of Proceres is too recent an institution in Spain to possess any influence. Novel experiments do not succeed in the Peninsula, where the chain of tradition cannot be broken without serious difficulties. In the composition of the Chamber of Proceres, the right of hereditary succession was borrowed from the English constitution, whilst the French system of peerages for life was followed in the rest of the Estamento ; and the highest military, administrative, ecclesiastical, literary, and aristocratical celebrities are there found united. Notwithstanding the claims thus put forth to the veneration of the country, the Peers not only exercise no influence upon the nation, but they even inspire a very unjust species of distrust. The Proceres are undoubtedly capable of doing much more good to the nation than the Procuradores ; and yet, with every patriotic disposition, they feel their own political insignificance and want that moral force which, by inspiring a consciousness of its own energy, can alone confer the power of exerting it.

Such are the bodies politic which the Royal Statute has created to work out the regeneration of Spain. The Estamento of the Procuradores, chosen by a privileged constituency of only *nine hundred electors*, in point of fact represents

nothing at all; the Estamento of the Proceres, though composed of men of merit, is an exotic creation which has no associations with the country. In the design for erecting the immense fabric of constitutional freedom, the only two solid and secure foundation-stones have been neglected; *vis.* the ancient laws stamped with a national democratic spirit, and the people. The people have not been called to co-operate in the work of construction, and they have received the imperfect boon of the charter with indifference; whilst the middle classes have accepted it only as a stepping-stone to raise them to the position which they aspire to occupy. After an attempt which has been prolonged for two years, the framers of the Royal Statute have disappeared from the scene, and their work is on the point of expiring before the constituent Cortes convoked by the electoral law.

Nothing can be more unpopular, and at the same time more impracticable, in Spain, than the principle of direct election, and yet this is the system which it is attempted in a puerile spirit of imitation to put in execution. The people of Spain are too intelligent and dignified ever to act without a conviction; if they are called upon to vote at the elections for persons unknown to them, they will abstain from voting altogether; and this must be the necessary result of direct election. The system of election by an elected constituency on the contrary, would serve to recall to mind the possession of an established right, which the people would exercise freely and readily from a full comprehension of its nature; they have already been habituated to it by the municipal elections, which have resisted all the efforts of despotism for their suppression. When we consider, in addition to the feeling of rectitude which marks the character of the Spanish peasant, his aversion to change, which is greatly increased by the insecurity and difficulty of travelling, we see enough to convince us that direct election would be attended by evil results in Spain; whilst the system of election, as the French term it, *à deux degrés*, is established in the manners and the habits of the people, and is that which the state of the country and the difficulty of communication requires. The constitution of 1812 had established the system of election upon this popular basis, whilst the Royal

Statute, although it preserved the principle, circumscribed it in such a manner as to render it in fact null. The welfare of Spain required that the principle should have been retained, but gradually ameliorated and extended.

For the last three years error has been accumulated upon error, and succeeding ministers have been equally blind to the duties of their office. The late ministry possessed still less insight than its predecessors into the position of the country, and the political state of Europe; and their administration caused incalculable evils to Spain. The throne of Isabella II. would have already given way under such a combination of errors and paltry intrigues amongst its advisers, had it not been supported by the devotion of the nobility, the middle classes, the army, and the National Guard; for the people are merely spectators in this contest of administrative follies with adversaries who are doubtless animated by fanaticism, but who are fighting with energy for an object which is at least distinctly defineable.

The treasury is exhausted, and the government is unable to supply the eight millions (of our money) for the army, which this disastrous war costs; in fact, the whole budget of the nation only amounts to about seven millions. The army has, consequently, undergone unparalleled privations during the last two years; and the rural population of the country, which is the theatre of the civil war, is reduced to destitution. The National Guard rivals the army in its zeal and patriotic devotedness; it performs the service of garrison troops in almost every part of the country; and it seems to consider no sacrifice too great for its strength, in the hope of restoring better days to Spain. We shall select some instances of the heroism of the armed citizens in the different provinces, as the best commentary on the spirit which animates the National Guards.

In 1835, ninety volunteers of Mercadillo, a village in the valley of Mena, were shut up in a house they had hastily fortified, and maintained a resistance against the efforts of all the bands commanded by Castor. After a siege of several days, the Carlist chief determined to set fire to the building, for which purpose several waggons laden with wood were

brought to the spot. Thirteen volunteers, covered by the fire of their comrades, devoted themselves to the task of firing the waggons, and then retreated within their enclosure.

In the same year, twenty-four volunteers of Villafranca sustained a blockade in the steeple of their village church, against a considerable body of forces commanded by Don Carlos in person. The church was fired, the flames communicated to the tower, and the besieged, reduced in number to twelve, exhausted their cartouches and then yielded. Don Carlos caused them to be shot in his presence.

But the most remarkable of these desperate defences was that of the Alcade Mayor of the village of Albocacer. On the approach of Cabrera and his troops, the Alcade Mayor commanding the National Guard shut himself up in the church with twelve men, dismissing the rest of the inhabitants. As usual, the church was set on fire, and he retired into the tower accompanied by only two men. The latter, giving themselves up for lost, thought that by sacrificing their leader they might save their own lives. One of them fired a pistol, which missed him; the Alcade killed the assassin with a blow of his dagger, cast the other man from the tower, and thus remained to defend himself alone: the tower was at last pulled down, and by the greatest chance he fell amongst the ruins unwounded, and remained closely concealed under a bell; the Carlists sought for him in vain and retired. The brave Alcade seized his arms, rushed from the ruins of the church, and with a stentorian voice cried aloud, "the Alcade Mayor of Albocacer is still alive—Liberty for ever!" He discharged his piece upon his enemies, and succeeded in effecting his escape, in the midst of the confusion which his sudden re-appearance had caused.

These and similar instances show to what a height the animosity between the two parties has risen; the Carlists have doubtless acts of as desperate bravery to boast of, but of these we are ignorant. Terrible must be the responsibility which rests upon those who have suffered the devouring flames of civil war to spread over the provinces of the north, with an intensity of which it is impossible to foresee the termination. The successes of each party are followed by the most horrible reprisals; the first step in this career of bloodshed and murder

leads to an endless succession of atrocities, till man loses all sense of humanity, and becomes a mere savage beast inaccessible to any feelings of compassion. What then is the real origin of this fratricidal war, in which all divine and human laws are trampled under foot? Its causes do not lie in the mere question of succession, but in the rapid and fatal progress of that thirst for vengeance and persecution which lasted throughout the reign of Ferdinand: it was the blood which that monarch shed, the tears which he occasioned, the miseries with which he overwhelmed his country, that have in truth raised the barrier which separates Don Carlos from the throne. The terror which the probability of the continuance of such a reign inspires, be that probability well-founded or not, is the sole cause which has impeded the succession of his brother; while the peculiar circumstances which have attended the change are incidental. But in no case could the question have been settled in favour of Don Carlos: if he had mounted the throne upon the demise of Ferdinand, a revolution was inevitable.

The Apostolic party was never sincerely attached to Ferdinand, and the insurrection in Catalonia, as early as 1827, was made in the name of Charles V.: nor has that prince ever disavowed the faction which recognised him as its head. The animosity which the decree of 1830 produced, arose out of the events of 1827; Ferdinand restored the right of the female succession to the crown, a right as ancient as the Spanish monarchy. Although this was the act of a despot, it was only an imitation of the former act of Philip V., who imagined that his will was sufficient to abrogate a fundamental law of the constitution, whose origin is lost in the obscurity of ages; nor is it admissible that a privilege could be denied to a succeeding monarch, which was conceded to the first of the Bourbons of Spain.

The Constitution of 1812 presents the most triumphant answer to the charges brought against the liberal party of conspiring in a body to establish an usurpation. The right of the female succession to the crown existed so indubitably in the public opinion of the Spaniards, and had been so little impaired by the decree of Philip V. in 1713, that in the deliberation of the first national assembly, a century after-

wards, this right was recognised as a fundamental law, and the Constituent Cortes in 1810 inserted it in their code. At that period neither prejudices nor fears existed; the same enthusiasm was felt in the cause of both the princes, who were prisoners at Valençay. Ferdinand VII. was then a widower without offspring, and Don Carlos was unmarried. The enactments then made can neither be attributed to party spirit, nor stigmatised as *ex post facto* laws; and it must be acknowledged that if the constitution of 1812 sanctioned the claims of a female succession to the crown, it was because the deputies of the nation recognised that right as a principle which the will of an absolute monarch had suspended but not destroyed. As this right is confirmed by public opinion, it has all the force of precedent; and we have stated the real motives which actuate the nation against Don Carlos.

But if the liberal party are not contending for a mere isolated principle of dynasty, neither is the enthusiasm of the inhabitants of Navarre to be attributed to that cause. They are defending their ancient franchises and the privileges of their forefathers against the equalizing system of modern constitutions; the resistance of the Navarrese has assumed the dynastic claims of Don Carlos only as a standard around which they might rally such partisans as were compromised under the reign of Ferdinand VII. The warlike and happy natives of those provinces have been persuaded that their ancient immunities, so beneficial to themselves and so injurious to the rest of Spain, would be secured to them by the triumph of Don Carlos; and around this nucleus of the intrepid defenders of popular rights and institutions all the disaffected have in fact gathered, as well as all those who existed upon the abuses of a degrading and brutalizing system, whilst religious fanaticism has added her recruits to their ranks. From these elements that sanguinary conflict has arisen, which the bravery of the inhabitants and the nature of the country have rendered so disastrous and so protracted.

The best proof of the truth of this statement, is that the sons of the noblest families are found combating in the ranks of the Queen's army, whilst their fathers have decreed the disinheritance of Don Carlos in their capacity of legislators: and that the whole army, all the functionaries, all



the landowners, the commerce and industry of the country, have declared for the new system, notwithstanding its defects. Not a single general nor one person of eminence in any class has enlisted in the ranks of Don Carlos, with the exception of Eguia, himself a native of Navarre, who is too far compromised to believe himself safe out of that province, and the Duke of Granada, a man too insignificant either to excite the praises of his friends or the persecution of his enemies.

The insurrection might have been suppressed in its birth ; but the weakness and ignorance of the government enabled it to assume its present formidable aspect and development. Instead of sending forces, and, what was still more important, good agents of the government, the ministry was engaged in concluding the Treaty of the Quadruple Alliance which, by the illusions it has fostered, has occasioned so little good and so much evil to Spain.

We speak of the evil which it has occasioned, because we are convinced that Spain possessed more than the resources requisite to put down the insurrection in Navarre, if they had been employed by men of ability. Instead of this, undue reliance has been placed by the Spanish ministers upon the specious but ineffectual provisions of that compact. The treaty of the Quadruple alliance arose out of the necessity of the moment ; it was partly designed to give *éclat* to the existing French government, and the execution of it was left to the uncertain determination of the future. A passive co-operation seems to have been deemed a sufficient interpretation of its clauses, and no further interpretation will be given to them. Indeed we may regard the feeble adhesion of France to the treaty of the Quadruple Alliance as a consequence of the system followed by Louis Philippe, a mere concession to public opinion in a country where its demands become every day less imperious. In the course of the last century, France has been the cause of innumerable evils to Spain, which have produced a corresponding reaction on her own condition, especially in the case of the two invasions in 1808 and 1823. Whatever may be the issue of the present contest, the system of policy observed by France appears to have necessarily compromised her equally with both parties, for each of which she has done either too little or too much : but we are fully convinced, that

it would be a great error for her to renounce the moral influence which she may acquire, by her interposition between the combatants, for the pacification of the country rather than for the triumph of a party. France had a high and important task to accomplish, and policy and humanity must alike mourn that she has abandoned it in this instance. Never had her diplomacy a more noble mission to perform than that of disarming the combatants in this struggle by uniting and protecting the interests, the rights, and the affections of all classes of Spaniards. This would have been a glorious atonement for her armed invasion of 1823; for after an interval of twelve years the question still remains where it was, and presents a striking confirmation of the truth, that force and violence can never succeed in determining the destinies of a nation.

England, more studious of her true interests, has interpreted the treaty more favourably to the cause of Isabella II., and after supplying her government with arms and ammunition she has raised her standard in the contest. The cannon of Lord John Hay has taught the Navarrese that they have a new enemy to contend against; and at the same time has announced to the Spaniards that they may now entertain some hopes of a restoration of tranquillity. But this incomplete armed intervention can only raise the contest to desperation: the partial advantages and combats which are daily taking place are only bloody incidents in the civil war; and a contest of this nature can never be decided by desultory warfare.

Neither the measures which France has taken upon her frontier, nor the naval intervention of Great Britain, will forward the pacification of Spain a single day. The warlike efforts of the government of Madrid will prove powerless to reduce to obedience the brave and unconquerable spirit of a population combating upon the soil where their forefathers lie buried, who were the founders of franchises which they committed to the protection of their race. If conquered, they must be either crushed or exterminated, for they will never cease to resist the power which curbs them. The appearance of foreign auxiliary legions, instead of subduing the courage of these intrepid mountaineers, gives an heroic character to their resistance,

which serves to excite their ardent passions and to increase their hatred for the army to which they are opposed.

Such is not the succour which two great and powerful nations should proffer to a people engaged in so self-destructive a warfare, and in a cause wholly unworthy of such frightful sacrifices. When we see England protesting, in the treaty made by Lord Eliot, against the horrible system of reprisals—when we learn the just indignation with which Mr. Villiers condemned the inhuman assassination of the mother of Cabrera, and at the same time find the same government furnishing the combatants with the means of continuing this warfare, where are we to look for the laws of common sense and consistency? We do not so much deplore the atrocious crimes which have been perpetrated, as the manner in which they have been committed. It can never be forgotten, that civil war is an outrage upon humanity, and a manifestation of the most utter contempt for all the laws of society; but how are we to expect justice or moderation in men intoxicated with such furious passions? The government of Madrid does not so much require the assistance of men and of arms, as of the moral force of mediation, which can alone tranquillize that unhappy country. A cry for PEACE, at once popular, national, and unanimous, is heard from every part of Spain: it is echoed from the rich and from the poor, from the inhabitants of the cities and from the rural districts. Peace is the universal prayer in the Estamento of the Proceres, of the Procuradores, and in the army: the word intervention is only another term for pacification. Every one anticipates the ruin of the country as the issue of this struggle, but no one has the noble courage to propose the only means of ending it. When an idea has once taken possession of general attention, when a common sentiment speaks to the consciences of all, it is easy to reduce it to application: yet neither France nor England hear the cry of an entire people, succumbing under the burden of its miseries.

We repel then an armed intervention, because the triumph of one party, and the consequent annihilation of the other, can never lead to any settlement of the dispute between them, or realize any future prospect for the country. But we do not comprehend how the events passing in Spain can be

regarded with such indifference, or how any one with the heart of a man can help shuddering at the thought of the calamities which must follow the triumph of either one or the other party, in which the most terrible reaction on the one side, or the most frightful anarchy on the other, must be the inevitable consequence. We can only attribute this apathetic policy to an ignorance of the causes of the war and of the moral condition of the country. Were the Spaniards fighting merely for a question of succession, they might be regarded as fanatics, meriting only to be abandoned to their own fury ; but when we see one party combating for institutions which have given birth to the prosperity and the welfare of their provinces, whilst the other has taken up arms solely to obtain a rational government and just institutions, our first duty is to conciliate, by other means than by fire and sword, interests which are so essential to the prosperity and to the very existence of the community at large.

If the indifference of the people to this third attempt at a political regeneration arises from the faults of the ministers, and the little good which the assembly of the Cortes has been able to effect, how can the advantages of a constitutional government be felt, or the dawn of a brighter future recognised, amidst the troubles and miseries of a civil war ? That misery goes on increasing—those sufferings become more and more acute—and the people are left only to vent their curses upon both parties. The provinces placed under martial law are treated by the captains-general as a conquered country : the laws have lost their power, and the course of justice is arrested by the sword. This state of things cannot long continue : it shocks humanity, and is at variance with the political law of Europe. If the treaty of the Quadruple Alliance is to have any influence on the balance of power, and if the South is to serve as a counterpoise to the power of the North, it must become, eventually, a treaty to maintain peace, and it must begin by making peace. In a country like Spain, little can now be expected from the exertions of individuals ; but all classes would be ready to hail with blessings the foreign power which should undertake this glorious task, to the exclusion of the passions of mere party men ; all would submit to the law of necessity ; and the first necessity in Spain is

*electors* ; they will now be returned by *ninety thousand* ; and the issue of the crisis is in the hands of the nation. The ministers are engaged in a fearful contest ; if the country responds to their call, they have only to choose between the liberties of the people, the reform of the administration, and the pacification of the northern provinces, or disgrace for themselves and ruin for Spain.

---

#### ARTICLE VI.

*Essays towards the History of Painting.* By MRS. CALLCOTT.  
London : 1836.

*Tour of a German Artist in England, with Notices of Private Galleries, and Remarks on the State of Art.* By M. PASSAVANT : translated from the German. London : 1836.

*Laocoon ; or, the Limits of Poetry and Painting ;* translated from the German of G. F. LESSING. By WILLIAM ROSS, late Professor of Painting and Sculpture in the Andersonian University, Glasgow. London : 1836.

WE opened Mrs. Callcott's *Essays on the History of Painting*, with hopes and expectations which, we confess, have not been entirely fulfilled. From the pen of an authoress of so refined a taste, and so keen a perception of the ends as well as the resources of art, we looked for a work of descriptive and speculative criticisms, rather than for six dissertations on the scholarship of painting. Never indeed have the materials which we derive from the cursory remarks of Pliny, and the cold descriptions of Pausanias, been arranged in a more pleasing or popular form ; but so much has been written and conjectured on the more remote and obscure passages of the *History of the Art*, that we could have wished Mrs. Callcott to have adopted a wider and a higher plan. For whilst unwearying researches have been directed to the monuments of past ages, whilst every painter's name (even where nothing beyond a name remained) has been gathered into the chambers of history, little has been done to give our countrymen a comprehensive view of that position which

painting has justly occupied in all civilized ages, as one mode of the expression of the highest intellectual conceptions.

To trace the progress of the art as it runs through the family of nations, and descends from age to age—now delighting in the graceful shapes of Grecian fable and tradition—now softening into the milder glories, or rising into the austerer sublimity, of the Christian Church ; to point out the mutual and necessary relation between the creative power of the artist and the perceptive sense of the spectators for whom he works ; and to illustrate the several peculiarities of each division in the history of painting by the corresponding features of the philosophy and poetry of the time—these are topics, which, however indispensable they may appear, have been neglected in most of the existing sketches of the history of art. It has evidently not been Mrs. Callcott's main intention, in the present volume, to approach her subject from this point of view. But we trust, that as she continues her labors, she may be induced to throw back a glance on the more philosophical portions of her subject ; and, not merely to embrace the history of painting, but to illustrate the constant connection of painting with history : deriving from the former a living illustration of the various conditions of society ; and tracing in the latter the influence of those habits and convictions, which have given to art its character and object.

It is the unfortunate tendency of practical artists, writing upon art, to confine themselves to the external parts of the subject, sacrificing the imaginative to the formal element of painting ; and this defect has given rise to a paradox of which Mrs. Callcott complains.

“ I am aware that a certain class of connoisseurs, amateurs, or enthusiasts, have lately put forth, perhaps I should say revived, the strange opinion that a practical artist is of all men the least fit to judge of art, and that it belongs to *them*, that is the connoisseurs only, to judge of his work. I believe this notion to have lurked in secret in the bosom of many an amateur for centuries back ; but it required the fostering hand of German enthusiasm to publish it, as an axiom, to the world ; and to write books upon the absurd notion, that those who know nothing practically of a subject, are the best judges and instructors concerning it.

“ Apelles had different notions ; for while he bade the shoemaker *stick to his last*, he took his advice about the sandals of his Venus.

“ In truth, to use the words of the wisest of modern men, ‘ the labours of

"speculative men, in active matters, seem, to men of experience, little better than Phormio's discourses of war; which seemed to Hannibal as dreams and dotage."—(p. 8.)

It is evident that, in *active* matters, the judgment of speculative men is often at fault. But whatever may be the case with regard to the arts of war and government, it will scarcely be denied that there is a *contemplative* part in the art of painting. It is by the contemplative faculty, expanded to creative energy, that a work of art is first conceived; it is to the contemplative faculty that its meaning is addressed; and it may not seem to be wholly enthusiastic or unjust, if we claim for contemplative men, who have improved their powers of discernment by observation and study, a right of judging whether the whole idea which a picture should represent has been worthily realized. We do not assert, that "a practical artist is of all men the least fit to judge of art;" but the instance of Fuseli (the greatest of English critics, and one to whom Mrs. Callcott herself is very largely indebted) suffices to show, that the merit of a critic bears no necessary proportion to his merit as a painter. Fuseli's powerful imagination, which enabled him, with rare sagacity, to comprehend the noblest works of the old masters, rendered his own compositions fantastical and exaggerated.

Thus, if great critical aptitude did not make a good artist of Fuseli, so a man may be a very good painter without ever rising to an elevated perception of the theory of art. The two faculties are, in reality, distinct. The criticism of the painter is more directly applicable to his own pursuit, and to the material means which he employs to realise his conceptions. He is but too apt to misinterpret the precept of Apelles, and to *stick to his canvas*, without cultivating the higher requisites of his profession. The criticism of the philosophic connoisseur is more general; it embraces not so much any one of the arts, as the great principle of ART itself, the instrument and symbol—under various forms, addressed to several senses—of the energies of the human mind. In this, which we regard as the highest department of criticism, the Laocoon of Lessing stands conspicuous; and we are happy to allude in this place to the very excellent translation of that work which Mr. Ross has just presented to the English public. To Lessing, who combined the faculty of a cor-

rect judgment with that of a powerful imagination, more successfully than any of his countrymen, may be assigned the honour of beginning a new era in the philosophy of art, as well as in the philosophy of history. By his vast erudition, by his great argumentative powers and logical accuracy, he erected on a solid foundation the system of critical science which his poetical genius and his refined taste inspired him to create; and from the wide views he took of art in the different ages of the world, he must be considered as one of the greatest authorities on the subject.

A further distinction may, in like manner, be drawn between the knowledge and the mere feeling of art. It is impossible to communicate a profound knowledge of art to the multitude, but it is quite possible and highly desirable to cultivate their feeling of it; and there are no more effectual means to this end, than by associating it in their minds with the objects of their reverence or their daily interest. To this cause, the artistic feelings of the Athenians and the Italians probably owed their origin. At the present day, the populace of Paris—though far from being endued with a fine sense for art—throng the Louvre to gaze at the scenes of their national triumphs, and the military pomps which line the walls of the Salon. We are ready to admit, that the feeling of the people must ever remain very far below the conscious perceptions of the accomplished artist; but the History of Art has no more interesting department than that which treats of the æsthetical education of society.

The volume which has given rise to these remarks contains six essays; in the first, Mrs. Calcott traces the earliest rudiments of art amongst the oldest nations of the earth; in the second, she pursues her subject to ancient Italy, deriving her materials from Tiraboschi and Micali; she then treats at considerable length of Greek painting, in its three periods. Her fifth essay is entitled, the classification of pictures; and the sixth gives a history of the pharmacopœia of painting, if we may use the term, from the pigments of the Egyptians to the colours and vehicles of the middle ages\*.

---

\* We cannot but remark, incidentally, the striking conclusion which is to be drawn from the great similarity of the materials used in painting in all ages, whilst the art itself has been subject to such great vicissitudes. In no department



Our limits will not allow us to dwell long with Mrs. Callcott upon the remains of Grecian art. The passage in which our authoress introduces her Greeks is, however, so pleasingly written that we give it as it stands:—

"It is certain, that whatever were the first steps of the arts of Greece, they soon outstripped those of every other nation, making their practice the law by which all others were to be tried for ever.

"Alas, for the pictures of Greece! they have perished, and are now mere matter of history, and like the hands that produced them,

*Poco polvere son, che nulla sente.*

"But the temples they adorned, the statues that were coeval with them, the bassi-relievi conceived in the spirit that inspired them, are not utterly gone; and while we have them before us, the history of the pictures of Greece may still borrow a momentary reality as we read over the descriptions of the heroes of Polygnotus, and the Helens and Venuses of Zeuxis and Apelles.

"Of the plastic arts it is scarcely possible to doubt that modelling in clay must be the earliest that arrived at any degree of perfection. The very shaping and moulding of vessels for domestic use, must have given a facility of hand to the potter, highly advantageous when he began to model his first ornamental foliage,

of chemical or natural science were the ancients and our own ancestors so nearly, not to say so entirely, our superiors, as in the manufacture and composition of colours. The great experimental colourist of the fifteenth century, Van Eyck, has left unfading proofs of his skill as well as of his genius, whilst the experimental colourist of the eighteenth century, Sir Joshua Reynolds, has already lost so much of his tone and brightness. The painters of our own time throughout Europe, notwithstanding the recent discoveries in chemistry and natural science, are unable to reproduce the rich hues of Titian or of the early Germans.

Northcote attributes the decline of colour to the circumstance of the ancients having prepared their own materials, whilst the moderns are in the hands of the colourmen. But, as Diderot observes, in his amusing and characteristic essays on painting, "*L'harmonie d'une composition sera d'autant plus durable que le peintre aura été plus sûr de l'effet de son pinceau, aura touché plus fièrement, plus librement, aura moins remanié et tourmenté sa couleur, l'aura employée plus simple et plus franche. On voit des tableaux modernes perdre leur accord en très peu de temps; on en voit d'anciens qui se sont conservés frais, harmonieux, et vigoureux, malgré le laps du temps. Cet avantage me semble être plutôt la recompense du faire que l'effet de la qualité des couleurs.*"

In mentioning the experimental researches of Van Eyck in the materials of painting, we are reminded of one of the many disappointments he met with. He had just applied a newly-invented combination (probably of lime-water and some other ingredients) to a large and highly-finished picture. This mixture required to be rapidly dried, and, for that purpose, the picture was left for a short time in the sun; when the artist returned to witness the result of his experiment, he found that the action of the heat on the composition had split the canvas, and that his work was utterly ruined! Happily for the arts, their best votaries have possessed the genius of perseverance as well as the genius of enterprise.

and afterwards in his imitations of men and animals. It is a pity not to believe that the first portrait in profile, and the first bust, owed their common origin to love; and after all it may be true. The potter's art may have formed the clumsy likeness of a human head, and many a rude outline may have been scratched on rocks, or cut in turf, or drawn in the sands before. But Dibutatis tenderly tracing the shadow of her sleeping lover may still have formed the first individual likeness; and her father's filling up of that line, the first head in clay that deserved the name of model.

"At all events, I would have the poets and the young believe it."—(p. 86.)

It can scarcely be denied that the enthusiasm with which the art of painting, as practised by the Greeks, has been discussed, owes its origin to our admiration of that people more than to a solid conviction of their ability in this department. The scholar may delight to revive those traditionary beauties which met the eyes of generations, whose intellectual powers are still the glory of mankind. The imagination may love to discern the mythic legend and the historic drama in the colours of a Polygnotus and a Parrhasius. But the inquiries of the archæologist are slow companions to the fervour of the artist; and this portion of the essays before us labours under the disadvantage of describing paintings only known to us through books, instead of appealing to the pictures themselves. In all the earlier ages of the world, the painting of the time was the marvel of the time; and the possibility of improvement was scarcely foreseen till it was accomplished. Thence arises the difficulty which besets all speculation on these topics, in the absence of any certain standard of beauty and taste.

There can be no doubt, however, that painting in Greece was long subordinate to sculpture; nor was it considered to deserve the rank of a sister art. The earliest Greek pictures on record are those of Bularchus (700 B.C.); they were, probably, monochromatic, and their subjects were historical, such as the Flight of Orestes, and the Battle of the Magnes. The Battle of Marathon was painted (480 B.C.) by Panæus, and again by Polygnotus. It seems improbable that the art of painting was ever devoted, any more than that of sculpture, to the antique worship of

The eldest Gods

Who in *no statues of exactest form*

Are palpable.

*Ion.*

But even when the forms of the Olympian Gods were realized

by the statuary, the skill of the painter was still confined to heroic fiction and poetical legends; and it is certain, that when Greece could boast of a Phidias, and erect a Parthenon, the Pœcile portico at Athens still betrayed the imperfect resources of an infant art. Notwithstanding the praise bestowed by Fuseli and our authoress on Polygnotus, he was only the best painter of a rude epoch, and we are informed by Pliny, that before Apollodorus none were worthy to be remembered as artists. “Hic primus species exprimere, primusque gloriam penicillo jure contulit; neque *ante eum tabula ullius ostenditur quæ teneat oculos.*” Lessing observes in his *Laocoon*, that, notwithstanding the contrary assertion of Pope, it is certain that Polygnotus and the early Homeric painters were ignorant of the rules of perspective. The personages represented in the great works of Polygnotus had their names inscribed on labels beside them, in conformity with a prevailing custom which was revived in the Byzantine and early Christian schools; and Pausanias says of one figure in the Lesche of Delphi, that you could tell it was Helenus without looking at the name. Although Zeuxis was distinguished for his colossal grandeur, and Parrhasius for his symmetry and finish, it was not till the time of Pamphilus and Apelles, when sculpture was already in its decline, that painting was thought worthy of being ranked at the head of the fine arts. At an earlier period, indeed, the faultless Greeks had adopted a practice which is utterly irreconcilable to modern taste. We cannot imagine that the pigments applied to the works of Phidias, and the friezes of the Temple of Theseus by Mycon, could be otherwise than detrimental to those admirable productions; and, as Mrs. Callcott observes, “there is an universal feeling of distaste to “anything so like wax-work.”

In Greece, as in every other age of the world, the arts pursued their unvarying course, from the imitative and the simple to the sublime and the beautiful; as man passed from his barbarous condition to the ages of faith. At no time was the influence of poetry on painting more remarkable than amongst the Greeks; and Homer was for ages the source of all their greatest compositions. Till, declining more rapidly than they rose, works of pure art were superseded by the display of skill; the graceful faded into the meretricious, and painting sunk

at last into the trivial portraiture of ordinary objects and persons.

"The first efforts of painting in Greece appear to have been as rude as we found them among the savages of Polynesia. The earliest steps of art in Egypt and Etruria elude our observation; but the nature of the improvements attributed to Eumanus of Athens teach us what they were in Greece.

"The art once exercised, however, neither halted nor tarried. It was sublime in its simplicity in the hands of Polygnotus and his contemporaries. It served their gods and their country. Much improved in beauty, but still grave and dignified, it grew popular in the time of Parrhasius and Zeuxis. Under Apelles and his followers it was devoted to the graces, revelled in beauty, and ministered to the refined pleasures of taste, rather than as at first, to the gratification of higher moral feelings.

"Brought down thus to the commoner tone of general society, more various subjects were thought worthy of it. Pyreicus anticipated the subjects of the modern Dutch painters, and it should seem with kindred success. The natural desire for novelty, and the anxiety for individual distinction, produced fire-light scenes, pictures of still life, and other varieties. Fashion, rather than taste, became the guide of purchasers, and it may truly be said, that the decline of painting began with the Macedonian conquest, which altered the character of the Greeks, and, consequently, of their arts."—(p. 167.)

The fifth essay is devoted to a discussion of the proper classification of pictures, or, to speak more correctly, of the different styles of painting. Mrs. Callcott complains, with very great truth, that the common divisions of historic painting, portrait, familiar life, landscape, animal painting, and still life, are exceedingly rude and incongruous. The two first divisions, especially, are made to comprise, without any just distinction of the painter's meaning and the character of his work, all the various productions which have man for their subject, whether they be religious, epic, dramatic, or merely imitative. Mrs. Callcott makes the following remarks, and proposes the following classification:—

"The class HISTORY has been felt to be so indefinite, that some of the best writers on art have tacitly divided it into the strictly Historical and the Dramatic. As far as it goes, the division is excellent; but it still leaves such masses to be separated, that I cannot but wish for farther distinctions. For instance, I could wish not to place in the same class, the taking of Troy by Polygnotus, the sacrifice of Iphigenia in Aulis by Timanthes, and the single figure of Ajax by Apollodorus, but to allow each of those to be the example of a separate division; and quite apart from those, I should wish to place all allegorical and didactic subjects, as well as those in which the machinery of superior or inferior natures is introduced.

"Thus, those subjects now clumsily thrown together, under the name of HISTORY, would come naturally to form four distinct classes, each of which ought, in strictness, to be again broken into subdivisions.

" The four classes I should propose to call,

" 1st. ETHIC, or DIDACTIC.

" 2nd. EPIC.

" 3rd. HISTORICAL.

" 4th. DRAMATIC.

" Each of these will admit of farther subdivision. The Ethical subjects should be distributed into—

" The PURELY DIDACTIC ;

" The EMBLEMATIC ;

" And SATIRE, or the HIGHER CARICATURE.

" Of the EPIC class I should make but two great divisions, each, however, capable of very marked partition.

" 1st. The CHRISTIAN RELIGIOUS SUBJECTS.

" 2nd. The ANTIQUE MYTHOLOGICAL SUBJECTS, whether painted by ancients or moderns.

" 1st. The CHRISTIAN division depending upon the introduction of Saints, Angels, and even more awful natures, but *not* comprehending Christ while on earth.

" 2nd. The ANTIQUE, upon the introduction of the deified heroes and gods of Paganism.

" The really HISTORICAL class of pictures may be divided into those in which a whole history is treated in a single picture.

" Those in which a history is treated in a series of pictures.

" Those in which a single point of history forms the picture.

" The DRAMATIC class might comprehend the familiar life subjects ; but I have thought it better to leave those as they have hitherto stood, by themselves ; and to reckon only in this class

" The single actions of higher tragedy :

" Single actions of a mixed character.

" In PORTRAIT painting it will be readily allowed that there are strongly marked distinctions between

" The HISTORICAL PORTRAIT ;

" The SCENIC PORTRAIT subjects ;

" And Portraits of common characters.

" The FAMILIAR LIFE class naturally divides into,

" Grave Comedy ;

" Light Comedy, or Farce.

" Of LANDSCAPE, the distinct varieties are,

" The EPIC LANDSCAPE ;

" The HISTORIC LANDSCAPE ;

" The Imaginary, or POETIC LANDSCAPE ;

" And the mere PORTRAIT LANDSCAPE.

" Animal painters have naturally made two classes :

" The Dramatic ;

" And the mere Portrait.

" Of each of these subdivisions, I will point out specimens, which I hope will support what I have said as to the propriety of a more precise classification than has hitherto been adopted. Not that I mean to make a catalogue for every class, though I believe such a thing would have its use.

" The difficulty of making such a catalogue would be very great, because the subjects so often force the painter into a greater degree of relation with neigh-

bouring classes than can be reconciled with any thing like a strict classification."—(p. 174.)

However ingenious this arrangement may be, we are inclined to think that it has been carried too far in subdivision; and, upon the whole, we do not attach more importance to these classes in painting, than we are in the habit of doing to the terms of rhetoric, and the jargon of the grammarians. Pictures will naturally be classed more by the æra to which they belong, and by the ideas which they excite, than by any artificial categories into which they may be distributed. Painting is, by its very nature, so mixed an art, deriving its resources alike from the animated and the inanimate world—at one time exalting the humblest objects, so as to awaken the most solemn feelings; and at another, bringing down the glories of space and of eternity to partake of the passions and the emotions of man—that it is difficult to assign a rank to any picture upon an abstract principle of classification.

Mrs. Callcott, indeed, does not proceed far in the application of her own rules without perceiving this difficulty. After treating of the Ethic or Allegorical style of painting, she arrives at the Epic class, divided into the Catholic and the Pagan Epic; but even here mythological subjects, treated by the moderns, clearly demand a separate place, which she assigns to them under the appropriate term of fancy pictures. They are, in fact, the commencement of a style of painting, in which grace usurps the place of devotional feeling, and extravagance succeeds to sublimity of conception. It would be easy to trace the rapid descent of this style, from the pure and beautiful compositions of Raphael, in his Apollo with the Muses and his Galatea, to the ribald train of Giulio Romano, and the coarse, though superhuman reveries of Michael Angelo in his lesser designs. Midway between the two, with something less of purity than Raphael, and infinitely more grace and refinement than Giulio Romano, the fancy, or (as they might, perhaps, be termed) the *fable*-pictures of Correggio take their place. We are surprised that in describing this class of paintings, Mrs. Callcott has not alluded to the incomparable "Mercury and Venus teaching Cupid," which it is now the good fortune of our National Gallery to possess; and as the subject has come under our pen,

we take this opportunity of quoting a passage from Mengs concerning this very picture, which may interest some of its numerous admirers.

"The Duke of Alba has a picture by Correggio, painted on cloth, with figures but little under the natural size, representing Mercury teaching Cupid to read, in the presence of Venus. This last figure is particularised by its having wings, and a bow in the left hand; it is of exquisite beauty; and it may easily be perceived that Correggio had the Apollo of the Villa Medici, which is now in Florence, present to his mind whilst he was painting it. The Cupid expresses all the innocence of his years; his hair is thick and admirably treated; his little wings are like the pinions of a young bird, in which you may still see the skin and the quills of the feathers. Whenever Correggio has painted wings, he has treated them as he has done in this picture, placing them immediately behind the shoulders, where they are so well united to the flesh, as really to appear like a member joined on to the upper part of the acromion. This made the Duke, the late possessor of the picture, observe to me that if it were possible for a child to be born with wings, they could not be set on in a different manner. In general, the other painters who attempt wings, apply them with so little reflection, that they appear to be supposititious. Mercury is represented as a youth, not full grown, and of a very simple character. This picture is undoubtedly an original, not only because the supreme excellence of Correggio is conspicuous in it, but it is distinguished by a remarkable change in the artist's original intention; the arm of Mercury was originally covered by a blue mantle, and a layer of colour was afterwards passed over it. I point out this circumstance, because a duplicate picture exists in France, without this correction, which may be a copy, or a replica. This picture was bought by an ancestor of the Duke of Alba, at the sale of Charles the First's pictures of London."—(*Mengs Opere*, Vol. II. p. 178.)

The singular adventures through which this picture has passed since the Duke of Alba made his remarks on the Cupid's wings, are too well known for us to revert to them here. But we cannot forbear mentioning that only one mediocre engraving exists of this exquisite work, which [was published in London, 1667, by Arnold de Jode. It is much to be lamented that, whilst the art of engraving has been cultivated with signal excellence on the continent within the last few years and applied to its noblest end, the talents of our excellent English engravers have been frittered away in *Annals* and cheap illustrations. Amongst the many great modern prints recently published from the finest pictures,—the *Spasimo* of Toschi; the *Leda* and the *Madonnas* of Desnoyers; the *Vierge au bas relief* by Forster; the *Saint Anne* and the *Virgin*, from Leonardo da Vinci, by Laugier; the *Christ Scourged*, from Titian, by Lorichon; and the *Creation of Eve*, from Michael Angelo, by the lamented Coiny;—all of which

are engravings of the highest class, not a single attempt has been made by English engravers to reproduce any of the finest classical works in our possession. It even seems probable that the National Collection will be installed in the building now in a state of preparation for it, without any advantage having been taken by the engraver of the long interval during which it has been comparatively lost to the public. The beautiful volume of etched outlines, from the gallery of Mr. Coesveldt, which has just been published, is by the hand of M. Joubert, a young French artist, whose admirable correctness and purity of design are, we fear, equalled by few of our countrymen.

We now return to Mrs. Callcott's first division of strictly historical pictures, in which she wisely, though somewhat boldly, places those works which violate the graphic unities, consisting "of whole successive histories represented in one picture, and admitting not only a variety of actions belonging to the history, but even a repetition of the persons engaged in it, when it is essential, or even when it is convenient for the narrative." The expedient of what may be termed *synchronous* painting was originally adopted by artists who had not attained to that dramatic perfection which portrays a history, with all its antecedents and consequences, in one well-chosen situation. But it has also been employed by the most accomplished artists, sometimes in one great whole embracing an immense variety of connected events, as in the roof of the Sistine Chapel; and sometimes in a series of pictures, as has been done by Raphael from the history of the Old Testament in the Loggie of the Vatican. Perhaps the most perfect instance of a trilogy in painting (and one which we beg to recall to Mrs. Callcott's recollection), is the Deliverance of St. Peter by Raphael, in the Vatican. It is in fact a single picture in one compartment: in the centre the Apostle is discovered through the bars of a prison, with the guards asleep, and an Angel of Light standing over him; on the right you see him descending the steps of the prison with his divine guide in the very act of evasion; on the left you behold the drowsy guards just awakening, in the attitudes of consternation and rage to find the prisoner gone.

We cannot forbear quoting a very lively description which our



authoress gives of one of the best pictures of the early Flemish school, by a painter who was peculiarly successful in this style.

" There is one picture of this kind by an ancient Flemish artist of such transcendent merit, that I shall endeavour to describe it as a model for this treatment of historical subjects. The picture is by Hemelink, and is now in the possession of the King of Bavaria.

" The shape of the picture is long and narrow, and the horizon is placed very high, by which means room is given for the different actions represented. One rich and varied landscape fills the whole picture, forming the back-ground to the groupes of actors in the history, which are placed with consummate skill, and so ordered by means of linear and aerial perspective, as to produce a most attractive whole, while each part is carefully dealt with.

" The subject is usually called the Journey of the Three Kings or Wise Men to worship the Infant Jesus; but the picture has two episodes, the Adoration of the Shepherds, and the Resurrection and Ascension, one of which occupies the right side, and the other the left.

" The extreme distance is formed of a ridge of hills, a little in advance of which three mounts are distinguished, and the ridge is farther broken by an inlet of the sea, over which the sun is rising in splendour. The shape of the bay is graceful, and it is enlivened by ships; the shore has wood and sand, and the termination of a great road to diversify it. One of the mounts forms a promontory to the left of the mouth of the bay, which is on the right of the picture. Between it and the second mount is seen the star, not interfering with the splendour of the sun, but having a bright distinct light of its own.

" We may suppose it discovered at once by three groupes, apparently engaged in worship, on the summits of the three mounts. On account of their great distance, they are just indicated; the only thing distinguishable in each being a coloured banner.

" At the foot of the first mount a river winds through the country, and appears as if it found an outlet to the bay behind a rising ground near the middle of the picture, on the slope of which, forming also the middle distance, stands the city of Bethlehem; and outside of the gates, quite in the foreground, is the place of the Nativity.

" From the country of the kings, a road which crosses the river by a bridge, leads to Bethlehem, and along this road the kings are seen advancing, each with his proper attendants, armour, and banner. Baldassar, the Moor, has a white banner, on which a negro in red is painted; Melchior, the eldest king, has a blue banner, distinguished by a golden moon; and Caspar, the third king, has a banner also blue, but speckled with white stars.

" These, with their retinue, all meet near the bridge, which they cross, and enter Bethlehem together. The figures are repeated at the meeting and at the city gates. While in the town, the train of the wise men disperse themselves through the streets, mixing with the inhabitants, while, in an open corridor, the three kings are seen eagerly conversing with Herod. Once more they are seen taking leave of him before they are finally brought to the feet of the infant Saviour, who, seated on the lap of his virgin mother, receives them with a benignity and grace worthy of the pencil of Raffaele himself.

" Of the skilful grouping of the central subject, commonly called the Wise

**Men's Offering**, of the beautiful and true action of each person, the rich dresses of the attendants, the drawing of the figures, and also that of the horses and camels, it is not my province to speak any more than of the exquisitely-finished execution. Yet all these assist the history powerfully, and we might have been satisfied that all was told.

"But the painter did not rest here. On a broad road, winding along a rocky valley, the kings are once more seen, after having paid their homage to the Christ, going to their own land by a different way. Some of their attendants have already reached the shores of the distant bay, and are preparing the ships to receive their masters.

"Meantime, the effects of Herod's disappointment are discoverable. On the other side of the town of Bethlehem, towards the bridge, the murder of the innocents takes place; it is distant enough to veil its horrors, near enough to distinguish the facts. But we are assured that the child, and his mother, and Joseph, are safe; for we see them on the road to Egypt, on the same side of the picture whence the southern king arrived. As they pass, an idol, placed upon a column, bows and falls,

While each peculiar power foregoes his wonted seat.

"And thus the history of the Adoration of the Three Kings, or Wise Men with its immediate consequences, is completed."—(p.192.)

In the very curious woodcuts of the Nuremburg chronicle, (many of which, notwithstanding Mr. Ottley's doubts, we hold to be the work of no less a hand than that of Michael Wohlgemuth) the back-ground of some of the first christian martyrdoms represents Satan toppling from a broken pillar. He sinks lower and lower at each successive victim, beginning to totter at Judas the son of Cleophas, sinking lower at his brother Thaddeus, and brought to the ground with St. Matthew. The idea was probably taken from Hemelink's picture; but we have not yet done with all which that extraordinary work contains.

"Of the two episodes, the smaller preparatory one to the left contains three scenes, divided from each other by portions of woody landscape. The most distant is the Annunciation; the middle is the Angel appearing to the Shepherds; and the nearest, the Adoration of the Shepherds. All composed and finished, as carefully as the scenes of the main action, but by skilful management never interfering with it.

"The greater or supplementary episode begins near the foreground, in a recess of the hills through which the road leads, by which the kings depart from Bethlehem. Christ is risen, and appears with the banner of salvation, freed from the garments of the dead! Farther off he appears to Mary Magdalene in the garden, and then to his mother; and farther still he walks with the disciples towards Emmaus, where he breaks bread and blesses it. Hard by, on the mount of the Ascension, the disciples are kneeling, while the form of Christ is faintly seen through the glory that mingles with the sky. But the purpose of his being on earth would not be shown, were not the descent of the Holy Spirit seen on the right hand. The event in itself has produced a beautiful picture, and taken, as it

should be, along with the great whole to which it belongs, completes and perfects the history."—(p. 197.)

Mrs. Callcott pursues the branches of the historical school in the more common acceptation of the term, until she arrives at dramatic painting. We confess that we do not perceive the line of distinction which she has laid down between the class of historical painting "which shows a single action complete in itself," and the dramatic class. Nor can we discover her reasons for placing the Raising of Lazarus, the Spasimo, and the Descent from the Cross, in the former division, whilst the Last Supper by Leonardo da Vinci, Tintoretto's great Crucifixion, and others of the same character, are styled dramatic pictures. All these subjects are, in fact, parts of the same great action, which had for its subject the progress of the Deity on earth, and for its object the salvation of mankind. It is vain to draw a mere artificial distinction (even if such an one existed in the treatment of these pictures) between works which are inseparably united by the feeling of their authors, and by their relation to one great religious theme.

In the course of this Essay on the classification of pictures, in which most of the best Italian and German paintings are mentioned to illustrate the meaning of the authoress, it is with extreme surprise that we notice the entire omission of the names and works of any of the Spanish masters. "*Præfulgebant, eo ipso, quod effigies eorum non visebantur.*" Yet where shall we find more melancholy grandeur than in Morales and Zurbaran; more pathos than in Vargas; more deep feeling and sprightly grace than in Murillo; more dignity and fire than in Velasquez; more devoted energy than in the portrait of Donna Maria Pacheco\* by El Mudo? The

---

\* Not the mistress of Peter the Cruel, but the magnanimous wife of Don Juan Padilla, the last hero of the liberties of Castille; who, by her "devout sacrilege," appropriated the treasures of the Cathedral of Toledo to the cause of her country, animated her husband to the struggle in which he perished, and revenged his death when the Junta was dissolved, and the triumph of Charles V. complete.

The portrait here referred to is the only work of the dumb painter—Juan Ximenes Navarrete—that we have ever had the good fortune to see. It is in the possession of the Marquis of Lansdowne. Though painted on the roughest canvas, it is finished with exquisite softness; combining a rich and sombre tone, with a daring grandeur of expression which has never been surpassed. In the Church of the Escorial there are (or were) eight pictures by El Mudo. He was born in Biscay, and died in 1577.

characteristic which is common to all the Spaniards, is the brown twilight they throw over their works. To them shade and gloom seem to be what light and colour are to the Venetians and to Rubens. To be felt in perfection Spanish pictures ought to be seen, as they are in Marshal Soult's gallery, without the contrast of the Italian Schools. The spectator is at once removed into an assemblage of forms which gradually emerge from the dark mass, as the eye fits itself to their obscurity. Here and there a broader light glares across the murky canvas, but it is the light of a torch, not of day. In a dozen pictures hung round a room you will not descry one flash of colour, except in those of Velasquez, who occasionally belts his gallants with a sash of carnation; and of Murillo, who varies his expression by the fusion rather than by the contrast of colours\*. The saints and martyrs are all of them represented in the attitude of a calm and intense melancholy, but few of them exhibit the pangs of animal suffering as in Rubens, or the exhaustion of animal endurance as in Annibale Carracci. In one picture by Morales, now at Paris, the Christ himself is clothed in a black robe, which sweeps the earth as he bends beneath the weight of the cross.

But the Spanish artists excel more in the general sentiment which their compositions convey, than in delicate or lofty expression. The countenance and the forms in their pictures remind one of a portrait, rather than of an ideal conception. None of them approach the great Italian or German artists in the expression of the Saviour's countenance. Velasquez gives to some of his female saints a character of inexorable beauty and stern resolution, which is almost too harsh for the subject; but many of

---

\* Two of the finest landscapes in the world, and we believe, almost the only genuine works of that class which their respective authors ever painted, are the pictures of their respective birth-places by Titian and by Murillo. The one in the possession of the Marquis of Westminster; the other recently exhibited in London. The Venetian artist has thrown over the rocks and waters of his native Cadore, the 'broader, browner shade,' with that fullness and warmth of hue, which we meet with in his historical works. But Murillo has given a wilder character to the village of Pílas in his own Andalusian mountains; a torrent dashing down from stupendous rocks till it is lost in an unfathomable pool beneath, a castle on the crest of the cliff, and a rude bridge over the ravine, mark the awful scenery in which the painter was born; whilst the cabin on the hill side, the fowls picking their grain at the door, and the mules slowly winding along, display the variety of the artist's talent, and perhaps recall the simplicity of his early life.

his St. Catherines and St. Ceciliass have the flushed cheek and tainted charms of the courtesan. We seek in vain amongst the mysterious works of Spanish painters, for that expression which so admirably portrays the emotions of the heart and the powers of the intellect, in the heroic style of Titian or the sweet and thoughtful compositions of Raphael. This distinction accurately corresponds, not only to the differences between the national character of Italy and of Spain, but to the historical features of the times. If Titian was the painter of Charles V.—of that magnificent and ambitious prince, whose acts and aspirations were not unworthy of the last age of chivalry and the first of renovated art,—the Spanish painters were the artists fitted to be the contemporaries of Philip II., and to adorn the gloomy precincts of the Escorial.

It is not our province to pursue any further a subject upon which so much remains unsaid, after all that has been written upon it. But it is with extreme satisfaction that we receive any new work which may enable the public to appreciate and to understand the treasures of art scattered over England, better than at present. M. Passavant's tour was undertaken for the express purpose of visiting and noting down all the best collections in this country, and, as far as his book goes, it supplies a very great deficiency. He has had the good fortune to be translated by a very accomplished artist, who has supplied much valuable information, and softened many of the author's eccentricities in the notes. But much still remains to be done. In every county there are valuable remains to which M. Passavant did not obtain access: and nothing but a general love of art can bring to light all the stores of which so little is known. May we hope, that when the new National Gallery is finished, some arrangement will be made for a great temporary congress of pictures, which, we persuade ourselves, would willingly be sent from all parts, to celebrate the opening of this much-needed institution?

In the interval, means are not wholly wanting to cultivate and perfect those tastes and pursuits which are the healthiest pleasures of a civilised people, and the best allies of the moralist and the legislator. For after the stage of civilisation has arrived, in which the simple and childlike amusements of primitive times have ceased to amuse, where are we to look

for the antidote to the strong animal excitements to which man, in disdain of humbler pleasures, resorts? In universal asceticism? The vanity of this dream has a thousand times been proved; and the humane and the wise will recognise, that the beneficent Creator, who gave to man quick senses wherewith to drink in the varied beauty of his works, and enlinked them in mysterious connexion with the imagination and the heart, has pointed out to us with a finger of light the moral uses of art, and the moral vocation of those of his servants whom he has endowed with the power of speaking to men the echo of the language in which He speaks to them in the beauty and the harmony of his creation.

---

ARTICLE VII.

*Tableau de Statistique Electorale.* Par M. PIGNERRE DE LABOULOYE. Paris: 1835.

*Etudes sur les Orateurs Parlementaires.* Par TIMON. (M. DE CORMENIN.) Paris: 1836.

*Lettre à un Ministre de 1825 sur un Ministre de 1836.* Par M. LOÈVE-WEIMARS. Paris: 8vo. 1836.

NOTHING can be more false and profitless than to seek for examples and analogies in the movement of English politics, by which to judge of the present condition of parties in France. The two countries are advancing upon parallel lines in the practice of the representative system, but their course is wholly distinct. The only term of comparison between them must be drawn from their differences, and from the several parts which they fill in the same great work of social improvement.

Parties in England have been classed and organised for an hundred and fifty years; and, as far as practical results are concerned, the shades of opinion are comprised within the two great camps of the Whigs and the Tories. Each of these parties has wielded the supreme power at various periods, and each of them is in possession of a practical knowledge of busi-

ness, of certain traditional principles, of maxims which have borne the wear of years, and of supporters enjoying both fortune and distinction in the state. Each of them has its own historical genealogy, like that of the patrician families of antiquity; and they have both an equal right to place their future prospects under the protection of their former achievements. This state of things assures us that our country can never want for a government; by the side of the actual administration another expectant administration is always in waiting; and the power of the statesmen of to-day may become to-morrow the inheritance of other statesmen. In the House of Commons there are, in fact, but two distinct sections, that of the Treasury, and that of the Opposition. There is no recognised intermediate party. Out of the walls of Parliament you may be a Radical or a genuine Whig, a follower of Lord Stanley or of the member for Kilkenny, of the juvenile Whigs or of Sir Robert Peel, but in a division of the House there are but two parties, that of the partisans and that of the opponents of reform, that of the Whigs and that of the Tories.

Such, however, is not the case in France. For the last twenty years, that is to say as long as regular free institutions have existed in the country, with the exception of certain periods of transient reaction, the parties, or, to speak more correctly, the classes of opinion have never disposed of the governing power. The Administration has never passed either to the limits of the *côté gauche* or of the *côté droit*, the former of which represented in the Chamber of Deputies the revolutionary passions of the people, the latter being imbued with the prejudices of the emigration: but it has always remained in the *centres*—in the *centre droit*, composed of the legitimists, during the restoration; and in the *centre gauche*, or liberal division, since the government of M. Casimir Perier. The only result, which has ensued from the various attempts made since 1814 to throw the government into the hands of the more thorough-going parties, has been a decided rising on the part of the people. The party of the emigration made two great assaults upon the supreme power, at an interval of fifteen years. The consequence of the first reaction, which took place in 1815, was the coup d'état of the 6th of September, 1816, which not only dissolved the Cham-

ber surnamed the *introuvable*, but which altered the electoral law by royal ordinance amidst the applause of public opinion. The legitimist reaction of 1830 had armed itself in its turn with a dictatorial power to destroy or to modify the pledges recognised by the charter, and the people responded to that coup d'état by a revolution.

The revolutionary movement of July 1830 was in fact a third reaction, which, after having carried away the narrow barriers raised by the dynasty of the Bourbons to hem in the liberties of the country, threatened to sap the order and authority of the government in its very basis. If the legitimist party had alarmed the nation, the liberal party alarmed society; and the interests of property, of commerce, and of manufacture, entered into a ready alliance to wrest the administration of affairs from its grasp. Such was the beginning of that period of resistance, which was at first legal and almost within the bounds of moderation, but which assumed the frightful character of a counter-revolution in the insurrections of June 1832 and April 1834.

It was to restore the authority of the *Centres*—the moderate sections of the Chamber—that the middle classes made those desperate efforts, and sacrificed to their tranquillity so many principles and pledges. Whence, then, is the power of the *Centres* derived in France? And how does it happen that a country which seems to be destined by its position and by the character of its inhabitants to try experiments for the rest of the world, and to occupy so prominent a place in the vanguard of civilisation, now betrays all the timidity of reserve, and repels, as it would seem, every kind of impetuous movement?

The French people is now in a phase of its political existence, which has little in common with the situation of other civilized nations. It has irrevocably and completely drained the cup of revolution; the principles of liberty and equality preponderate in the laws, influence the manners of the country, and now only give rise to questions of detail as to the greater or lesser application which they may receive. Of the two great interests which met in that gigantic contest, the democratic element has alone survived; but it has still to organize its force, to constitute its authority, and finally to settle the great question of political power. This question awakens a series of ideas



which are a subject of anxious speculation to the French : it is felt that the *interests* of society are already at stake, and that great controversies of *opinion* must necessarily ensue. But this situation is rather foreseen than actually felt ; it does not yet furnish matter for practical, political, or scientific discussion, but it is the source of a vague instinct, which the course of events can alone render more certain and precise. This position of affairs suffices to account for the wide separation which now exists between interests and opinions in France : the opinions are old, the interests are new ; the opinions are founded upon theories of abstract freedom, the interests are instinctively attracted to the centre of power. With the exception of a small number of superior minds which direct their energies to the solution of present difficulties, the parties in the country are quite uncontrolled by existing facts, and subsist upon traditions and illusions which every day effaces more completely. In reality, the only persons who have any opinions in France are the very young, and the very old ; they alone consent to join the standard of a party. Their convictions indeed are either reminiscences, or enthusiastic sentiments : at twenty, it is not unnatural to dream of entire liberty and absolute equality, to advocate the propaganda and universal suffrage, to consider the rights of men more than their duties, to condemn all forms of government not styling themselves republican, and to believe that the inauguration of the lowest classes of society into power would be the sure forerunner of the pacification of mankind : at sixty, the dream is changed, and the worship of past days begins ; the opinions of the legitimists, the imperialists, or the jacobins, are held by men who have respectively shared the exile of the Bourbons, served as instruments to the despotism of the Empire, or borne a part in the energetic measures of the Comité de Salut Public : and as for the inert mass of each party, populations are to be found in all countries either with the visionary glow of twenty, or the narrow predilections of old age.

To say the truth, the generality of men of property and reflection, men of a middle age and of the middle classes, are devoid of any fixed political opinions. That vast floating body which follows the current of events without directing it, and which has no force of impulsion in itself, represents a kind of

conservative party in France. It is usually denominated the *Centres*, the resisting party, or the *juste milieu*.

To affirm that the majority of political opinions is to be found in the colourless mass of the *centres* is simply to admit that these opinions are still in fact unclassified. The administration of the country is thus wielded by a large body of men who govern, like any other multitude, without systematic foresight, but by an instinct which is as safe as it is egotistical. They are not guided by the inspirations of genius, but by the dictates of good sense. Under the restoration, this immense column was headed by the landed proprietors; at the present day it adopts the great capitalists in the various branches of trade and commerce for its leaders. To apply the technical phraseology of the French politicians (to which it may not be amiss to accustom our readers, with a view to the pamphlets before us,) we may observe that the former *centre gauche* is now established in the position of the *centre droit*, and that the more liberal opposition of the *côté gauche* is gradually passing into the *centre gauche*; in short that the centres are expanding to fill the whole political scale, and preponderate more and more in the Chamber. The electoral body (as we demonstrated in our last number) is henceforward in feudatory dependence on their policy; the whole Chamber of Peers has been selected from their ranks; and the more the old passions of the Chamber of Deputies expire, the more are its several shades confounded in a neutral tint.

The Centres, if we examine their principal elements alone, may be divided into three main varieties: the party of the *adroit*, the party of the fanatical, and the class of men whose temper and whose conscience bind them to moderation, and who look upon any decided opinion as a perilous excess.

The party of the *adroit*, or (to vary the term) that of the men of business deserving the name of statesmen, is composed of those able administrators who have been for the last 80 years in France a kind of fixtures made over to each successive occupant of the supreme power: Senators under the empire; Peers or Prefects during the Restoration; instruments and supporters of the new dynasty. They are wholly devoid of principles themselves, and they look upon principles in others as mere Utopian schemes. To them whatever is, is right; and

they come to a ready understanding with any change which has success to recommend it. Their fortunes float uninjured by political catastrophes; but violence forms no part of their policy, because they are well aware that sooner or later every persecution is followed by a re-action; their moderation is the effect of their prudence, not of their humanity. The judges who sentenced the ministers of Charles X. to simple imprisonment for life, were the same who condemned Marshal Ney to death. The whole science of government, as they practise it, is comprised in the little word 'compound;' they compound with individuals, they compound with parties, they compound with circumstances. There is no constitution which they have not promulgated; no change to which they have not set their seal. Their rule of politics has no similarity to the needle, which points to the North, over whatever seas and through whatever gales the vessel may speed; but is rather like the veering course of a ship directed by a weather-cock, changing with every wind that blows. That rule is, in one word, the narrowest egotism, and the most constant application of the interest of the hour to the concerns of the state. The Chamber of Peers, which is the true residuum of all the governments of France, contains the most compact nucleus of this party; which is represented by none more aptly, amongst the elder or the younger statesmen, than by M. de Talleyrand, M. Pasquier, and M. Thiers.

The party which is distinguished for its fanatical attachment to the ruling powers is in fact only a variety of the same class. It is composed, in the first place, of those in whom the fear of change amounts to absolute terror; for whom every existing power is a providential safe-guard; and who ask for nothing but secure repose, and an easy interchange of transactions. These men are the ogres of the Stock-Exchange, the big wigs of the counting-house, and the feudal lords of the cotton mill, whose valuation of the prosperity and the greatness of their country is exclusively founded on their own balance at the end of the year. Next to them comes the military party, less corrupted indeed by lucre but endowed with far more valour than intelligence. To them the empire was the beau idéal of government; and they are too much accustomed to passive obedience to understand the privileges of free discussion. They

are not devoted to the minister, or the opinions he professes, or the institutions of the country, but to the head of the state, be he Louis Philippe or Napoleon. At a sign from one in high authority they are ever ready to smash the printing presses, and throw the representatives of the country out of the windows—a proceeding which they term, in familiar language, “silencing the lawyers.”

The last fraction of the centres, which might be mistress of the administration if it had more energy, is composed of all the *tiers partis*, which stand upon the verge of the centres and the extremes. They are the pivots upon which such variations as occur in the majority turn; but either from inability or disinterestedness, in all the revolutions of the Cabinet they neither sow nor reap.

The personal influence of Louis Philippe results, perhaps, from the circumstance of his summing up in his character, as well as in his policy, all the different elements of which the parliamentary majority is composed. The king represents the centres, just as fairly as the centres represent the actual condition of France. He is not a man of genius, although his flatterers have styled him “le Napoleon de la Paix”—he is not exactly a man of wit, like Louis XVIII. of royal and literary memory; but Louis Philippe is a man of sense, endowed with a just though not a keen discernment, and with fluency rather than with eloquence; resolute without boldness, prudent without timidity, apt for business, fond of details, and rising gradually from the details to the whole of a subject; himself actively engaged in the work of government, more calculating than observing, never deferring anything till the morrow, yet always ready to wait for what the morrow may bring, and thus possessing the qualities which most become a sovereign at an epoch of transition. The progress of democracy in France has passed through the successive schools of military enterprise and of the arts of peace. The first of these two epochs, a time at which the highest and the lowest grades of the social ladder were perpetually brought into contact, is personified by Napoleon, who was the loftiest type of the soldier of fortune that ever rose out of the chaos of revolution. Louis Philippe is the *parvenu* of a more peaceful æra, who has not been promoted by the

splendour of his achievements or of his fortune, but rather by his skill in turning events to the best advantage without running counter to the men he has had to deal with, by his ready compliance with the necessities of the time, and his constant solicitude for his interests as well as his reputation. At the age of twenty he taught mathematics in a Swiss day-school; at thirty, he married a Neapolitan princess; at forty, he was reinstated in the richest patrimony in Europe by the restoration of the Bourbons; and before the revolution of July had taken place, public opinion had already placed him on the throne of France.

Notwithstanding the aristocratical tendencies of the latter years of the empire, there was more real equality under the rule of Napoleon; for the sword was then the surest guide to fortune, and the sword was wielded by the people. Murat, Lannes, Masséna, Lefebvre, Lasalle, and the heroes of the great army, were men who had risen from the ranks. But under the rule of Louis Philippe, notwithstanding the laws of intimidation, there is more real liberty. The liberties of France are, indeed, in the hands of the middle classes, which are naturally so timid and mistrustful as to be afraid of their own power; but it is not the less true that they are secure from the assaults of any force in the country. Louis Philippe may perhaps interfere in the direction of public affairs more than a constitutional king ought to do. He is accused of engrossing all the activity of the government, and of leaving his ministers to bear an unjust responsibility; and it would seem that the king himself has rather fostered than disclaimed this opinion, by openly professing on all occasions that the system adopted by the government is identical with his personal views. All his speeches, addressed to the Chambers, to deputations, and to corporate bodies, hold the same language: and these harangues have been carefully collected in two volumes octavo, forming a *corpus* of the king's politics and the king's works, which are privately distributed to the families about the court to encourage or reward their zeal in his service.

This system of temporizing resistance is not merely the consequence of the line of policy adopted by M. Perier, as is commonly supposed; but it has been the unvarying rule of Louis Phi-

lippe's conduct in all the various positions of his political career and of his private life. To go no further back into his history, we may cite the proclamation which he made as Lieutenant-General of the kingdom immediately after the three days, in which he presents himself as a guarantee of public order to the newly conquered liberties of the country, treats the revolution as one power treats another, and professes his object to be to save it from its own excesses. At a somewhat later period, under the very liberal administration of M. Laffitte, the King defined his system in the following terms, in his answer to a deputation of the National Guard of Gaillac (Tarn), on the 29th of January 1831. "We must distinctly understand," said he, "what the advantages of the revolution really are: it must not be imagined that they consist in an extension of all the liberties of the country, beyond the limits which public order and the spirit of our institutions prescribe. No doubt, the revolution of July ought to bear its fruits; but this expression is too often applied in a sense which answers neither to the spirit of the nation, nor to the wants of the age, nor to the maintenance of public order. These are, however, the conditions which ought to direct our policy; and we shall endeavour to maintain a JUST MEDIUM, equally remote from the excesses of popular power and from the abuses of the royal prerogative."

To say the truth, the adage which has become so celebrated in France, *LE ROI RÈGNE ET NE GOUVERNE PAS*, cannot be rigorously applied to a new dynasty. A new sovereign, chosen by a people still intoxicated with the tide of revolution, incurs risks and bears a degree of responsibility which is not always compatible with the contemplative inactivity of a British monarch. Public opinion is not at those moments a stream, which calmly bears the state along with its course; but it is the business of the ruler to precede, instead of waiting for its influence, and to prepare the bed into which it will afterwards flow. Under ordinary circumstances, the King simply invests the ministers, and the system adopted by the majority, with the authority of the state: but at a period of great political changes, he exercises a kind of initiative in the community, and he is like the mariner placed highest in the vessel to look out for the port to which it is bound. The mistake has been

to attempt to construe this peculiar situation into a law of the representative system. As if the example of Louis Philippe was to give rise to a new definition of constitutional monarchy, his courtiers have invented another formulary for the especial use of attorneys-general, which runs: *le Roi règne, gouverne, et n'administre pas*; amounting, in fact, to the notable discovery that as a king has neither the hundred eyes of Argus, nor the hundred arms of Briareus, he cannot conduct the administration of the country without the assistance of a few clerks. In point of fact, the attention of Louis Philippe confines itself to the more important departments of the executive. The ministers of public instruction, of commerce, of justice, of war, of the navy, and of finance, are nearly free to do what they think best. But in the home department and in that of foreign affairs, the king only tolerates men of his own choice, who are in fact his docile secretaries, by means of whom he keeps his eye on the police of the interior, and himself directs the diplomatic relations of France. He also reserves to himself certain appointments, such as the places in the Cour des Comptes and the Conseil d'État, which he regards as patronage usefully appended to the civil list, in order to furnish him with the means of rewarding his supporters.

This personal influence of the king will necessarily diminish in proportion as the public opinion of the country acquires more consistency, and more power of expressing itself. Till such be the case, it is a necessary consequence of the actual position of affairs. In all epochs of transition, there are in fact two powers and two responsibilities: the constitutional power of the ministers who are responsible to the chamber; and the extra-constitutional power of the sovereign, which stands awfully responsible to the sentence of a revolution. It is worthy of remark that Louis Philippe has not been the only Frenchman who has exceeded the limits and the provisions of the charter. This reproach (if a reproach can be addressed to what was the necessity of the times) may be equally directed against the majorities and minorities in the state. An active minority has attacked, both in the streets of Paris and in La Vendée, not the ministers and their acts, but the sovereign and the institutions he was pledged to defend; in the Chambers, the minority which signed and published the *compte*

*rendu*,—a protest hostile to the monarchical principle, at least by its omissions,—interposed itself in the troubles of the 5th of June between the government and the insurrection; lastly, it is evident that the majority in the Chambers is more attached to the person of the king than to the monarchy, and to the monarchy more than to liberal institutions.

We have not adverted to another cause which is not without a certain influence: Louis Philippe is undoubtedly a superior man, and he is perfectly conscious of his superiority; surrounded as he is by persons of inferior abilities, he would regard the submission of his own reason to theirs as an act of abdication. M. de Talleyrand is the only adviser whom he likes to consult, and even he has been put aside, like a worn-out instrument, since the King has fancied that the old diplomatist reads the political destinies of Europe with a less certain eye. Casimir Perier, Sebastiani, Guizot, Thiers, Dupin, and Odillon Barrot, may be termed the generals of the King's staff, whom he dispatches or will dispatch upon a given point at the most opportune moment. But the entire plan of the government is a system far above the strength or the powers of any one of these lieutenants of the crown. It may be asserted that Louis Philippe governs France by the right of his own ability: in the state of languor and intellectual anarchy into which that country has fallen, none of the parties in the state can supply the elements of a great minister; none of the majorities in the Chamber, since the Revolution of July, has ever had a distinct apprehension of its own purposes. To be the guardian of a king, though he be only a constitutional king, besides the authority which leads a parliament, something of that personal ascendancy is required, which belonged to such men as Mazarin, Richelieu, Colbert, Chatham, or Pitt.

Louis Philippe is adroit and fortunate, and indisputably more fortunate than he is adroit: his policy is rarely baffled in its low flight along the ground, but it can neither soar to greatness, nor extend itself to a wider scope. The king may not inaptly be compared to Massena, of whom Napoleon said, that his preconcerted dispositions were bad, but that he was inspired by the field of battle itself. In like manner Louis Philippe rises under the pressure of circumstances, but he requires the pressure of circumstances to rise: he is gifted by



nature with more elasticity than mobility of character, and more discriminating talent than genius.

We have pointed out the principal features of the present state of France, the preponderating influence of the centres, and the progressive decomposition of all parties. It remains to be seen, how this strange fusion has taken place. We fear that the history of this change will, indeed, appear to be the history of the most insignificant of men, but the smallest things are not without some power of instructing and amusing.

The day after the revolution of July, the unanimous feeling which had achieved the victory still prevailed. There were shades, indeed, and separate classes in the range of the conquerors, but there was but one party. The terms *resistance* and *mouvement* were then alike unknown, and none of the actors on the stage of politics were as yet classed with the majority, or the tiers-parti, or the opposition, or the doctrinaires, or the republicans. Lafayette commanded the national guard; Dupont de l'Eure, Casimir Perier, Guizot, and Dupin, sat in the same cabinet; and as for the legitimist party, it was too much overwhelmed by its defeat, and too far separated from the uniform feeling of the nation, to show itself at all. The cabinet council met to deliberate, and the Chambers proceeded to legislate, after having strung together the articles of the charter: but the actual government was not in the Cabinet or in the Chambers; it still remained on the Boulevards and in the streets, where the power of the multitude had been left, though the crown had been rescued. Day after day riotous masses of men surrounded the palaces of the Chamber and of the King; sometimes they were contented by an affable salute, at one time the royal arms were effaced from the king's carriages, and at another the ministers were dismissed.

On the 13th of March, when Casimir Perier came into office, the Chambers and the Ministry resumed their authority; but that event was the signal for fresh divisions of opinion. The vague outlines of the several parties began to assume more precision; the two great fractions of the liberals separated more openly; and whilst the opposition tended to join the opinions of the republicans, the ministerial party drew nearer to the

legitimists. The majority was long in suspense between these two divisions, and the question was not decided by the elections of 1831, for they were made under the influence of the approaching discussion of the hereditary peerage, to abolish which M. Perier was obliged to bring in a bill, very much against his own inclination. The opposition advocated war, but the ministry required the maintenance of peace. Yet such was the indecision of the majority, that the ministerial candidate for the presidency of the Chamber, M. Girod de l'Ain, only gained his election by a majority of five over M. Laffitte, the candidate of the opposition. In the discussion of the address the opposition carried several amendments, which might be regarded as so many protestations against the incipient tendencies of the cabinet; and M. Perier could only support his administration by the first Belgian expedition, which was a concession made to the opposition. But immediately afterwards the majority pronounced itself more decidedly. An amendment which had been proposed in the constitution of the Upper House, substituting an elective candidature to the nomination of peers by the prerogative of the crown, was rejected by 244 votes against 186. The Chamber afterwards divided on the order of the day, and the number of votes in favour of the ministry amounted to 221 in a house of 357 deputies; the opposition was thus reduced to 136, which was also the number of those who signed the celebrated protest of the *Compte rendu*.

Although this struggle did not last long the debates to which it gave rise were exceedingly keen, and neither the leaders who had conducted them, nor the parties which figured in them, were strong enough to survive so rude a conflict. After the long session of 1831 Casimir Perier remained upon the breach which he still defended; but his powers were exhausted, his temper shaken, and the cholera carried him off. Lamarque, his most violent antagonist, gave way like the minister to the violence of his passions. Benjamin Constant died of grief at the first symptoms of so painful a schism: Lafayette lived long enough to measure all its consequences, and at the moment of his death he was so entirely estranged from his own party, that the republicans then in St. Pélagie as prisoners of state ILLUMINATED THEIR WINDOWS, as a sign of rejoicing on that occasion!

The administration of Casimir Perier, which terminated all the abortive ministerial attempts made from the moment of the King's inauguration (9th August) to the 13th of March, produced a distinct schism between the interests and the opinions in the country, and divided the national party into a majority and a minority. But this majority and minority were in fact coalitions, the former of which was rallied together in the vote of confidence which had been passed, the latter in the liberal protest of the *Compte rendu*.

The insurrection of June, which occurred soon after, was a perfect St. Bartholomew's day to the opinions of the parties then existing; the bonds which united them were broken, the elements which composed them were dissolved. Each section reverted to its own natural affinities, and as the actors in the political drama were reduced to an isolated position, they lost in strength and unity as much as they gained in independence. A part of the opposition openly professed its adherence to pure republican theories; another, and more numerous portion, caring less for the form than for the principles of the government, supported the established monarchical institutions. The same schism took place in the centres; of the three divisions which respectively followed M. Dupin, M. Thiers, and M. Guizot, and which were no longer kept together by the strong arm of M. Perier, the first, being the most independent though the least numerous, quitted the mass of the ministerial party, assumed an attitude of hostile neutrality, and adopted the title of the *tiers parti*; the more violent and resolute portion of the *Doctrinaires* carried away the remainder with it, in the ministerial arrangements which were afterwards made under M. M. Guizot and de Broglie, on the 11th of October. This separation was brought about by the necessity in which the parties were placed, much more than by the choice of the persons who composed them. All means were taken to conceal a truth which so cruelly betrayed the inability of the sections either to combine or to conflict with consistency. The term 'opposition' was still used, though several oppositions did in fact exist; and every one was afraid to avow an opinion of his own, uninfluenced by present friendships or former precedents. The position of the *tiers parti* was not less absurd; its members constantly spoke *against* the administration, and voted *for* it

it persisted in disavowing its separate existence as a party, and whenever it was treated as a real entity, some one rose with ludicrous earnestness to repel the charge as a calumny.

We call the attention of the reader to a distinction between the two periods, which explains the whole contemporary history of France: from the formation of M. Perier's ministry to the time when it was succeeded by the exclusive doctrinaires, a parliamentary struggle was going on between the centres and the radical opposition; but from the origin of the Broglie administration until its fall this spring, the contest lay between two fractions of the majority, the doctrinaires and the tiers parti, though it must be confessed that their struggle was but too often carried on at the expense of the opposition and of the liberties of the country. The vicissitudes which marked that strange campaign of marches and counter-marches are highly characteristic of the vacillating habits of French politicians. When the sky had ceased to lower, when the streets were quiet, and the king could go out of his palace without meeting an infernal machine on his road, the chamber adopted the language of the tiers parti: the address, which in France is a kind of political *programme* drawn up under the auspices of M. Dupin, the President of the Chamber, recommended economy in the state, an amnesty to political offenders, an energetic policy towards foreign powers, and a merciful forbearance towards domestic enemies. But no sooner did a riot break out, or a political trial come on, or a conspiracy with or without effect come to light, than the chamber flung itself at the feet of the ministry, and seemed to think that to refuse any of its demands would be to endanger the dynasty and the country.

The composition of the chamber was considerably altered by the last elections in 1834; 141 new deputies were returned, which is nearly a third of the whole assembly. Of the members who had signed the *Compte rendu* only 58 remained; and the greatest losses were on the side of the opposition. The statement published by M. Pignerre divides the chamber of 1835 as follows: 257 ministerial deputies, 60 members of the tiers parti, 107 members of the opposition, and 35 legitimists. But this classification is too general; and very important changes have taken place since we described the numerical forces of the parties in a former number. The

divisions and subdivisions of the chamber are in point of fact more numerous: there now exist several oppositions, several tiers partis, and several fractions among the adherents of the ministry. The chamber is now no longer what it was at first, and the dissolution of existing parties has materially advanced in the last three sessions. The last elections reduced the number of the republican deputies, and introduced a small coterie of legitimists: a new kind of tiers parti has been formed under the name of the *jeune droite*, which acts with the opposition, though it holds very different principles of government. On the other hand, the recent appointment of M. Thiers has separated the doctrinaire fraction from the pure ministerialists, and has driven the former to join the counter-opposition. Under these circumstances, the dissolution of the ci-devant liberal parties is consummated, and they require no secret mine to demolish them.

The chamber in which the deputies of France hold their sittings, is a kind of amphitheatre, formed of eight sections of benches, which radiate from the tribune and the president's chair: each of these sections represents a different shade of opinion or party. The division which occupies the seats on the extreme left of the president calls itself the *Opposition Puritaine*, or Radical Opposition, since the laws of September have forbidden any one in France to aspire to the title of a Republican: this section consists of about forty members. The next compartment is filled by the monarchical opposition, headed by M. Barrot, and amounting to sixty deputies. The first section of the *centre gauche* is formed of forty or fifty members of the old *tiers parti*; one hundred and fifty deputies, who are chiefly placemen, merchants, or manufacturers, compose what is called the *centre pur*, the sacred battalion of the ministry; seventy members of the *centre droit* vote with the doctrinaires: about thirty avowed or secret legitimists are scattered along the benches to the right of the president, and fifty or sixty deputies, who sit with them, compose the *jeune droite*, a party which directs its attacks against the administrative acts of the government more than against its general policy; and as it is still unfettered by any pledges, its prospects are far from discouraging.

At a time when the systematic opinions of the several

parties are reduced to nothing, there are no better means of becoming acquainted with their characters, than by passing their leaders in review.

The extreme Left can boast of several distinguished members, but it has never had a real leader; Lafayette himself would have remained isolated, had it not been for the veneration with which he was regarded by some of the younger deputies; for it would seem to be in the very nature of this party to exercise no solid influence and to reject all sound discipline. Like the Radicals in other countries, the extreme left may be compared to the *vieux grognards* of the imperial guard, who were bravery itself, but whose ill-humour was not soothed even by success; just so, the Puritans of France will never be satisfied with the extension given to the free institutions of the country, as long as the royal prerogative retains any portion of its influence. They have been compared to the veterans of the first emigration, of whom Louis XVIII. himself said that they had neither learned nor forgotten anything; and it is certain that their theories (if so good a name can be bestowed on so rude a chaos of schemes) are composed of abstract doctrines, which bear no fitness to the age, the position, or the manners of the country. This branch of the opposition professes the most strict inflexibility of principle; it contains some honourable men, but their intelligence is in general less awakened than their patriotism, and they are equally ignorant of men and of affairs. Whilst the friends of M. Barrot were maintaining a prudent neutrality toward the cabinet, in order to facilitate the expulsion of the doctrinaires, and thus to effect an approximation between the future administration and their own position, the Puritans stigmatised their policy as infamous, though it was clearly in perfect conformity with the received tactics of representative assemblies. The discredit of the Centres arises from their readiness to compromise upon all occasions; the incapacity of the extreme Left proceeds from its unwillingness to make any compromise at all; and in politics, nothing is more absurd than to say of official power what the old dandy in the farce said of the coat he ordered, "If I can get into it, I will not take it." In this division of the Chamber every deputy fights or forages for himself unsupported by any regular

force; nevertheless two sections may be distinguished in it: that of the dissatisfied or disappointed, of whom M. Laffitte is certainly the most pleasing specimen; and that of the more active men, whose chief speaker is M. Garnier Pagès.

"Y-a-t-il au monde," says Timon, in one of the pamphlets before us, "quelqu'un de plus bienveillant que M. Laffitte? combien rois et particuliers n'ont-ils pas abusé de la facilité de ce bon et aimable caractère! Quelle sérénité d'âme après tant de fortune perdue, et tant de nobles espérances foulées aux pieds! quel organe flatteur! quelle fluidité de paroles! quelle netteté et quelle science dans ces expositions financières. Il unit aux graces d'un homme de cour, lorsque la cour avait des graces, la simplicité et la bonhomie d'un négociant. La vie privée de M. Laffitte serait un cours de morale en action."

This eulogium of his personal qualities is not indeed exaggerated; but in his political character, great are the failings, the deficiencies, and the illusions, of so excellent a man. There was a time when the sole organs of the liberal party in France were the eloquence of General Foy, the columns of the "*Constitutionnel*," and the drawing-rooms of M. Laffitte. M. Laffitte was, in fact, the guardian of all the passions and the opinions which were afterwards to effect so great a change; but he was unable to give them any just direction, and he abandoned them in 1820 to sheer carbonarism, in 1827 to the doctrinaires. When the Revolution of July took place, it was to him that the Duke of Orleans owed his crown; and M. Laffitte, instead of securing the necessary stipulations, was perhaps the main cause which induced the Chamber to waive various important conditions. In 1830, he yielded to the urgent request of Louis Philippe, and allowed himself to be made prime minister; but in the four months during which he held office, the power of the government was constantly escaping from his grasp; open riot appeared in the streets, the minister for foreign affairs betrayed him, and the lower house at length declared itself against him.

M. Laffitte does not see either men or things as they are, but as he wishes them to be; he is guided by his heart more than by his judgment, and his politics are a system of illusory optimism applied to matters of government. It is precisely because he demands too little of his co-adjutors, that he hopes for too much from them; and half their ingratitude towards him may have been caused by the necessities of the time.

It was easy to predict, as early as 1830, at what moment Louis Philippe and M. Laffitte would embrace each other for the last time, and how long M. Thiers would remain faithful to the fortunes of his first patron.

The public credit of France was founded on the day that Baron Louis induced the government of the Restoration to pay the debts of the empire; but it was M. Laffitte who laid the basis of the financial system in 1816, who explained its mechanism, and taught the ministers to set it in motion. In 1824, he alone of all the liberal party understood the plan of M. de Villèle for the reduction of the five per cents.; and he had the courage to compromise his popularity by defending it. Ever since 1830, M. Laffitte has demanded, year after year, the suppression of the Sinking Fund; and if his own labours have not contributed to the progress of financial economy, at least he has not ceased to encourage and to adopt the most enlightened views on the subject.

The disinterestedness of M. Laffitte must be regarded as one of the causes which have tended to abridge his influence: if he had been more ambitious, he might still be in office. France is perhaps the only country in Europe in which men as eminent as Lafayette, Royer-Collard, and Laffitte, are content to retire as tranquil spectators of the power they themselves created, and which was once in their own hands: but France is also the country in which great and patriotic sacrifices are least honoured by public opinion; and whilst Buonaparte is worshipped as a demigod, scarcely a thought is reserved to virtues which rival those of Washington.

M. Garnier Pagès is the organ in the Chamber of the opinions which are most hostile to monarchical institutions; and the difficult part he has to play, which demands an equal portion of coolness and intrepidity, could not be entrusted to a more prudent or a more determined character.

M. Garnier Pagès has the best qualities of a legal advocate, without the defects common to that profession. His eloquence is more solid than brilliant, expressing no more than what he means to say, neither enfeebled by irrelevancies, nor led away by feeling or violence, never disconcerted by interruption, but manœuvring with singular presence of mind under embarrassing circumstances. He maintains his ground against



M. Thiers, and gives back sally for sally without going further than a man of the world ought to do. He compels the adverse majority to listen to him, braving their murmurs with imperturbable coolness; and he contrives to keep within the bounds of the oaths he has taken to the King and Charter, whilst he profits by every opportunity of placing his own convictions in the strongest light. But notwithstanding these personal advantages, M. Garnier Pagès is not, and never will be, the leader of a party. His activity is wasted on details; and he is deficient in that power which enlists masses of men in the defence of an interest or an opinion. Like all the principal organs of the republicans, he is more distinguished for close powers of reasoning, than for the extent or elevation of his mind. The fact that the mere question of the form of political institutions is in reality of secondary importance to the great social difficulties arising from the state of the working classes, and the anarchical condition of the religious belief and the manners of the country, is one which has not escaped the sagacity of this young deputy. But M. Garnier Pagès is yoked to his political connections; he advocates universal suffrage, though he is very well aware that the rule of brute force, whether it consist in the despotism of the many or of the few, has never yet solved the great problem of government: but he defends it as the standard of his party. Perhaps he is disinterested enough to desire the reputation of an orator more than the authority of a tribune; but the conduct of his party is a hinderance to his own progress; and the cry of popular insurrection has more than once drowned his voice, or refuted his speeches.

The regular parliamentary opposition was for a long time conducted by two leaders, M. Mauguin, and M. Odillon Barrot: the former was, if we may so speak, its minister for foreign affairs; the latter devoted himself more particularly to the home department. Both of them affected to direct the party; but in point of fact the chief influence was in the hands of M. Mauguin during the first years of the new government, when the opposition was above all a war party; and that influence has devolved on M. Barrot ever since the opposition, resigning itself to the continuance of the peace, has become simply the party of liberal internal amelioration. This change neces-

sarily gave rise to a separation between two men who are rivals in ambition, in reputation, and in talent. Besides which, the views they take of government are very different. M. Barrot is an antagonist of the principle of centralisation, and he shares the opinion of Sièyes, who wished to establish the independence of the communes as the basis of political liberty: M. Mauguin is as firm a partisan of centralisation as M. Thiers himself, and the liberties of his country are to him of secondary importance to the acquisition of power. In point of fact they have neither of them very determined opinions: M. Mauguin is led by his versatile and uncertain character, to change his point of view every instant; and the contemplative disposition of M. Barrot renders his ideas vague and often abstract. They both perceive how ill the education of the bar, which was formerly the only mode of preparation for public affairs, can compensate to a statesman for a careful study of the interests of his country; but the one has not the courage, nor the other the patience, requisite to set about a task which would change their habits, and demand more than desultory observation can give. M. Mauguin has neither friends nor partisans, although he is affable and agreeable in his manners; because he has never been known to make a sacrifice for any one, and because his opinions are too volatile to excite confidence, or to confer authority. M. Barrot, notwithstanding his general popularity and his eloquent good sense, is deficient in that magical energy which acts so forcibly on masses of men; and he neglects to discipline his supporters, by inspiring the timid, and encouraging the warm-hearted, who act with him. The characters of both these distinguished men are incomplete.

To close the parallel we have drawn, we shall borrow the just and striking sketches which Timon gives of these two deputies.

" M. Mauguin n'a pas assez de suite dans ses idées; il fait trop d'opposition individuelle, et ne fait pas assez d'opposition collective; il détourne et fait avorter, par ses brusques sorties, des combinaisons dont il ne se donne pas la peine de s'enquérir; il se tait quand il devrait parler, ou il parle quand il devrait se taire; il soutient des thèses, pour le moins extraordinaires, si ce n'est fausses; il ne met pas ses talens au service de ses opinions; il récule devant les principes; il prend trop la finesse pour la prudence, et la faiblesse pour la modération.

" M. Mauguin a des gestes nobles, une parole claire et résonnante, une attitude ferme. On peut lui reprocher de trop calculer les effets oratoires, et de ne pas

s'abandonner assez à la nature. Il est par dessus tout habile. Quelquefois, lorsqu'il s'anime, et que chez lui le naturel l'emporte sur l'art, il cesse d'être rhéteur, il devient orateur, il s'élève jusqu'à la plus haute éloquence. Alors il fait fremir, pâlir, ou pleurer sur les déchiremens de la Pologne expirante. Mais ces effusions de l'âme ne sont pas communes chez M. Mauguin; et elles n'échappent bien qu'à des orateurs plus vrais, plus fougueux, et plus irréguliers. M. Mauguin est trop maître de lui-même pour trouver le pathétique, qui ne se rencontre que lorsqu'on ne le cherche pas : mais il manie avec un avantage décidé le sarcasme poignant, et l'ironie à lame fine. Il se refroidit de la colère de ses adversaires.

" Je l'ai vu beau, lorsque du haut de la tribune il luttait contre Casimir Périer, son redoutable ennemi. Le ministre épuisé, hors d'haleine, lançait sur la tribune les éclairs de son œil en feu. Il bondissait sur son banc; il brisait entre ses dents des exclamations entrecoupées de menaces. M. Mauguin, de ses lèvres souriantes, lui décochait de ces traits qui ne font pas jaillir le sang, mais qui restent sous l'épiderme. Il voltigeait autour du ministre, et se posait en quelque sorte sur son front. Comme le taon qui pique un taureau mugissant, il entrait dans ses naseaux; et Casimir Périer écumait, se débattait sous lui, et demandait grace."

M. Odillon Barrot is no less happily appreciated in the following lines, which contain as much truth in a somewhat less inflated style.

" M. Odillon Barrot étudie peu et lit peu; il réfléchit plus qu'il n'observe, son esprit n'a d'activité, et ne veille que dans les hautes régions de la pensée. Ministre, il languirait, et se laisserait surprendre dans l'application. Il serait plus propre à diriger qu'à exécuter, et il brillerait moins dans l'action que dans le conseil. Il négligerait les détails et le courant des affaires; non pas qu'il y soit impropre, mais il y serait inattentif.

" Ce qui le frappe d'abord dans un sujet, c'est l'ensemble : cette manière d'envisager les choses lui vient de l'aptitude particulière de son esprit, de l'exercice de la tribune, et des procédés de son ancien métier d'avocat à la Cour de Cassation. Personne ne sait mieux que lui abstraire et résumer une théorie, et je regarde M. O. Barrot comme le premier généralisateur de la Chambre. Il possède même cette faculté à un plus haut degré que M. Guizot, qui ne l'exerce que sur certains points donnés de philosophie et de politique; tandis que M. O. Barrot improvise ses généralisations avec une remarquable puissance, sur la première question venue. Tous deux sont dogmatiques comme les théoriciens, tous deux affirmatifs,—mais M. Guizot davantage, car M. Guizot doute moins que M. O. Barrot; il prend plus vite son parti, et il mène une résolution tout droit à son but avec le vif et le roide de son caractère.

" M. Odillon Barrot est plus raisonneur qu'ingénieux, plus dédaigneux qu'amer, plus tempéré que véhément; son regard ne jette pas assez de flammes; on ne sent pas assez sa poitrine se soulever et son cœur bondir; trop souvent sa vigueur s'affaisse et tombe, et son arme lui est lourde avant la fin du combat. Maître de ses passions et de sa parole, il calme en lui et autour de lui la colère des autres et les soulèvemens orageux de la gauche. Il prépare, il couvre sa retraite dans les pas difficiles avec l'habileté d'un général consommé."

M. Mauguin is nearer to the attainment of office than M. Barrot; he is already at the foot of the mountain, unin-

cumbered with party pledges or any other ties ; nevertheless, without some unforeseen occurrence, he will never arrive at the summit by the broad road of public opinion. Notwithstanding his great resources and enterprising genius, his want of good sense and perseverance has placed him in a most false position, and compromised him with all classes of opinion. The opposition maltreats him, and the majority mistrusts him. In addition to his functions as a French deputy, he has, like some of our radical members, accepted the functions of a paid agent for the colony of Guadeloupe, which of course converts his position as a legislator into that of an advocate in certain cases. And such is his restless ambition in the foreign relations of the country, in the interior, and in the press, that it deters those who would otherwise be attracted by his great ability.

M. Barrot enjoys a reputation for rectitude which ensures him personal respect, even from those who reject his views. At the same time the progressive power of his mind enables him to keep pace with the changes which are taking place in the political opinions and situation of his country. He has spoken but little in the Chamber this session, and he has even absented himself at the latter part of it, because he is doing precisely what the whole opposition will do in the end ; he is coming over to safer and more practical views. M. Barrot will doubtless belong to some future administration ; he will perhaps be prime minister ; but his character is, like his party, deficient in the highest views of philosophy ; and at the same time, he is without that thirst for action, which in M. Thiers supplies the want of a comprehensive judgment.

Between the opposition and the tiers parti, a few isolated deputies take their seats, such as M. M. Royer-Collard, Lamartine, Berenger, and the *jeune droite* to which we have already alluded. The men of whom this section is composed are remarkable for their knowledge of affairs, their sincere independence, their disinterested freedom from old prejudices, and their zeal in the adoption of the soundest principles of legislation. But their first attempt to organise a party in the *Réunion Choiseul* has not succeeded. The members of the *jeune droit* are debaters, rather than speakers ; their influence is small on mere political questions ; but when the interests of

the administration or the country are concerned their voice usually preponderates. M. Dufaure and M. Vivien are the most solid and the most brilliant organs of these opinions; they have both attained to remarkable distinction in a very short time, by the energy of their talents, and their activity in the cause of whatever is just and good. M. Vivien has passed rapidly through the appointments of procureur-général, préfet de police, and conseiller d'état, which have helped to mature his reputation; but M. Dufaure owes his influence solely to an ability and a fervid eloquence which recall the virtues and the qualities of his countrymen of the Gironde.

The *tiers parti*, properly so called, is the genuine representative of the middle classes in the Chamber; and whilst it has never displayed any novel or elevated views, it is composed of a body of men who have shown the utmost disinterestedness, but also the utmost inaptitude to assume the reins of government. The *tiers parti* contains some men of business and some distinguished orators, such as M. Passy, M. Calmon, M. Sauzet, and M. Dupin; but none of them rise to the theory of government, and they are all imperfect or inconsistent in its application. M. Passy, who is now minister of commerce, professes the opinions of Adam Smith and Say in political economy, and it was expected that he would have radically reformed the prohibitive system of France; but he has surrendered these convictions to the ascendancy of M. Thiers. He is ill adapted for the fatigues of office; he acts with difficulty; he mistrusts his colleagues, resents their conduct, and becomes an embarrassing coadjutor because he is crossed and dissatisfied. M. Sauzet has all the genuine qualities of an advocate, and he would plead with equal good faith on one side and the other, provided a decent interval had elapsed between his two speeches. He entered the Chamber as a warm supporter of the amnesty, and he advocated a system of conciliation with all the transports of his oratorical passion; within a few months his versatile eloquence was employed in the defence of the laws of September. M. Sauzet is a kind of oratorical machine, which exercises a vast influence on the assembled legislators of France with its sesquipedalian phrases; but when one peruses the ample harangue in the *Moniteur*, without the accompanying gesture and the

sonorous accent of the orator, one is ashamed of emotions excited by such common-place views and such loose reasoning. Ever since M. Sauzet has belonged to the administration, he sees every thing in the most favourable light; the great work of reconciliation seems to him to have been achieved by the mere circumstance of his admission into the cabinet. The lamentations of the population of Lyons, the complaints of the prisoners of Ham, and the sufferings of the republican convicts, have ceased to reach his ear. He now confines his eloquence to enlarging, after M. Thiers, on the extraordinary prosperity of the country; and he is lulled in his slumbers by the dreams of the best of all possible ministers in the best of all possible worlds.

M. Dupin has frequently been compared to Lord Brougham, and, as political characters, they are, in point of fact, as much like one another as the differences of their respective countries will permit. M. Dupin has not such extensive acquirements, or such vast intellectual power as the ex-chancellor, but he has the same penetration, the same keen and stirring eloquence. He fairly represents the vulgar good sense, the capricious independence, and the coarse irony of the bourgeoisie in France. The education of M. Dupin has rendered his character a strange medley of elements. Belonging by birth and by instinct to the middle classes, he has nevertheless inherited from his family what the French term '*l'orgueil de la Robe*,' and the strict traditions of Gallican Jansenism. As a lawyer, a magistrate, and a deputy, he has ever been the first amongst his equals—*primus inter pares*—but he has risen no higher. He has been blamed for not having seized the reins of the administration, when they were within his grasp; but M. Dupin rejected the offers made to him from a just feeling of independence, and from a conviction that the conditions imposed upon him were incompatible with the good of his country.

M. Dupin has been for many years the king's adviser in the management of his private affairs; Louis Philippe is averse to changing the nature of their connexion—and he is afraid of the hasty temper and the excitable character of a man whom he has known so long. As President of the Chamber, M. Dupin has a very different task to perform from that of the Speaker of our House of Commons; and nothing gives a stronger

impression of the political and social differences of the two countries, than to see duties which are sustained in England by gravity of character and a solemn demeanour, discharged in France in the tones of overbearing reproof and in volleys of impetuous eloquence. M. Dupin actually rides the Chamber, sometimes spurring it on, and sometimes curbing it in; but at the same time, with the skill of a horseman as adroit as he is bold, he takes care to humour its natural propensities, and to yield a prudent compliance if it offers any resistance to his authority.

M. Dupin is one of the most honourable and useful men in France, but he is deficient in the qualities of a statesman; his courage seldom rises to boldness; his character is more influenced by his antipathies than by his sympathies; his political conduct is deficient in consistency and propriety; and his temper fits him for opposition more than for office.

Timon, who has evidently no partiality for the President of the Chamber, nevertheless does justice to his talents in the following passage:

" M. Dupin n'a pas une éloquence aussi savante de méthode, aussi haute de pensée, aussi pure de forme que M. Berryer; mais elle est peut-être plus substantielle, plus animée, et plus pittoresque. Vues à la loupe du goût, les saillies de M. Dupin paraissent un peu raboteuses; mais à distance elles saisissent par leur naturel, et leur grossièreté même. Il tire ses comparaisons des choses communes, des habitudes de la vie, des usages, des mœurs, des termes de droit, et des façons de parler provinciales; et il fait rire ses auditeurs d'un rire franc et national. Nul ne sait mieux que M. Dupin faire vibrer, quand il le veut, la fibre populaire, parce qu'il est dans ces momens là de tous les orateurs le plus clair et le plus fort: alors toutes ses idées s'enchaînent, tous ses mots portent, toutes ses preuves se deduisent l'une de l'autre: alors M. Dupin est comparable à tout ce qu'il y a de plus rationnel parmi les logiciens, et de plus véhément parmi les orateurs.

" Malheureusement M. Dupin est souvent inégal, et il tombe dans le trivial et le bas. Son imagination le domine: si quelque bon mot passe devant lui pendant qu'il gesticule à la tribune, il l'attrape à la volée et la lance sur la chambre à la risque de blesser la première tête venue.

" Il a plus de virilité dans la parole que dans les principes, plus de puissance d'argumentation que de jugement, et plus d'indépendance de tête que de cœur. Ne vous étonnez pas s'il commence à parler pour, et s'il finit par conclure contre.—Est-ce que vous ne savez pas qu'il s'abandonne au courant de ses inspirations?"

The last part of this criticism is perhaps too severe, for it is unjust to exaggerate and brand the fickleness of M. Dupin at a time when every one participates, more or less, in the

same fluctuations. The President of the Chamber is upright in heart, warm in patriotism, and devotedly attached to a legal order of things. He did not hesitate to cross to the more liberal side, when he believed that order to be threatened by the formation of the Doctrinaire ministry of the 11th of October. That courageous determination covers a multitude of weaknesses; at a time when the most powerful minds are stripped of their convictions, and left without support, we cannot be exceedingly astonished if the uncertainties of political principle are also to be met with in the actions of a politician.

The ministerial fraction of the Centres now follows M. Thiers as easily as it allowed itself to be led by M. Périer. M. Thiers is the spoilt child of the Chamber. The first time he mounted the tribune he was interrupted by the murmurs of the deputies; his reputation for cynical indifference, the tone of levity which he affected, and the very ease of a speaker so unscrupulous as to the nature of his arguments, were against him.

"La chambre," says the biographer of M. Thiers, in the letter we have also placed at the head of this article, "traitait le jeune sous-secrétaire d'état comme un homme qui vient faire de la littérature ou de l'histoire de rhétorique à la tribune; et plusieurs fois le ministre des finances fut obligé de promettre aux députés de la majorité que M. Thiers ne remplirait pas les fonctions de commissaire du roi dans la discussion des projets de loi qu'il était urgent de faire adopter."

But the influence of M. Thiers over the Chamber has increased in the same proportion as his fortunes; he is one of those men whom adversity does not improve, but rather crush: and who grow in ability as well as in power under the influence of success. He reminds us of the wren which soared upon the eagle's wings to meet the sun. Under the Périer administration, M. Thiers was already felt to be a necessary coadjutor; at the time of the insurrection in June, he was more a minister than the ministers, and his advice was followed in the proclamation of martial law. In the ministerial revolution of the 11th October, it was thought impossible to introduce M. Guizot into the cabinet, without taking M. Thiers as a counterpoise: and at the present moment he is prime minister of France, and the representative of the foreign relations of his country. His flatterers did not fail to compare him to Mr. Pitt, after the very excellent speech he made in the recent debate on the Colony of Algiers. But the comparison



was equally unworthy of Mr. Pitt, and unsuitable to M. Thiers, who is not a statesman, but a journalist in power. He foresees nothing from a distance, cares but little to penetrate to the bottom of affairs, or to form strong and lasting combinations. He stands upon the breach where he defends himself, disputing every inch of ground, and gaining upon his adversaries when he is favoured by fortune, without knowing what the issue of the contest will be. His policy is the creature of expediency, profiting by a happy turn, and surmounting an unfavourable one, without asserting any control over events. He is impelled and sustained by ambition against all obstacles; an ambition which is not wholly for himself, but also for his country. Yet he is unable to impart true greatness to his purposes or his undertakings, because he is wholly deficient in that moral sentiment which is the source of every noble passion; and because his God, if he have a God, is SELF-INTEREST.

Louis Philippe has the solid qualities of the bourgeoisie, and M. Thiers has its more brilliant parts. No one is better fitted to lead that portion of the Centres in the Chamber, which, from habit, or from the absence of fixed principles, follows all the variations of the governing powers. M. Thiers spares them the trouble of changing the minister, and the system they support; to remain good ministerialists they have only observe and to imitate the undulations of their Protean leader. In the witty language of M. Loève-Weimar's letter, to which we again revert:

" M. Thiers l'historien et M. Thiers le ministre sont bien le même homme. M. Thiers est l'homme de la Révolution de Juillet, comme il a été l'homme de Mirabeau, l'homme de Turgot, de Necker, de Camille Desmoulins, de Robespierre, de Napoléon. Il a suivi le flot de la fortune et de la puissance de Manuel à M. Laffitte, de M. Laffitte au Baron Louis, du Baron Louis à Casimir Périer, et de Périer à M. de Talleyrand. Quand ce qu'on nomme 'les opinions de la gauche' triomphent, (si jamais elles triomphent) il dira à leurs partisans

' Je suis oiseau, voyez mes ailes \* ! '

Il passait par la porte de droite †; tout le changement qui se fera dans sa vie

\* The fable of the bat and the ferrets in Lafontaine.

† There are two doors of entrance to the Chamber of Deputies, the one on the right, the other on the left of the tribune.

et dans sa conscience, consistera à passer de nouveau comme autrefois par la porte de gauche."

As a speaker, M. Thiers is without an equal in the Chamber; the spontaneous eloquence of M. Dupin is more forcible and sudden; M. Guizot is more nervous and elevated; M. Barrot more firm and full; and M. Berryer more astonishing by the wonderful flashes of passion and eloquence which occur in his speeches: but M. Thiers is more adroit, more various, and more abundant in language; he has a clearer insight into business, and a readier command over the passions of his audience. No one is better able to observe and to humour the weaknesses of the majority, to calm it when it murmurs, or to shake off its lethargy. M. Thiers is the best, the most flexible, and the most perfect of parliamentary instruments, but he is no more than an instrument. He is not fond of ideas, and he has no belief in sentiments. It has been said of him, as the historian of the revolution, that he holds the causes of events very cheap, and turns all his attention to their results; the same disposition may be remarked in him as an historian and an orator. M. Thiers soon perceived that his lot was cast in an egotistical age; and if nature had endowed him with a warm heart, he would probably have done his best to wither those inward emotions, and to steel himself against the trials of life. The only things which he respects in the world are existing facts and existing interests; that is to say, whatever is beyond the reach of denial, and whatever commands the adoration of the crowd. His notions of morality may be expressed in a word which we have borrowed from the nation he governs—"PARVENIR."

We conclude with the portrait which Timon gives of this singular man—a portrait in which the excessive severity of the criticism is but too fully borne out by the character of the original; whilst the feeling of contempt which it excites is mingled with a deeper feeling of regret and dismay, when we consider that to the caprices and the intrigues of such a character the destinies and the dignity of France are entrusted for an indefinite period:—

"Lorsque dans une monarchie, un homme sans caractère et sans vertu a reçu une éducation plus lettrée que morale, et que, porté sur les bras de la

fortune, il monte les degrés du pouvoir, son élévation lui tourne la tête. Comme il se trouve isolé sur les hauteurs où il est parvenu, et qu'il ne sait où s'appuyer, n'ayant ni considération propre ni entourage, n'étant plus et ne voulant plus être peuple, et ne pouvant être, quoiqu'il veuille et qu'il fasse, noble et grand seigneur, il se met sous les pieds de son Roi; il les lui baise, il les lui lèche; et il ne sait par quelles contorsions de servitude, par quelles caresses de supplication, par quelles simulations de dévouement, par quelles gémissements lui témoigner son humilité et le terre à terre de son adoration.

" M. Thiers parle continuellement de son honnêteté; nous demanderons ce que cela veut dire: de sa franchise, nous demanderons ce que cela veut dire: de son mépris des grandeurs, nous demanderons ce que cela veut dire: de son amour pour la Révolution de Juillet, nous demanderons ce que cela veut dire.

" M. Thiers est sans figure, sans taille, et sans grâce: il ressemble à ces petits perruquiers du Midi, qui vont de porte en porte offrir leur savonnette. Il a dans son babil quelque chose de la commère, dans son allure quelque chose du gamin. Sa voix nazillarde déchire l'oreille. Le marbre de la tribune lui va à l'épaule, et le dérober presque à son auditoire. Il faut ajouter que personne ne croit en lui, pas même lui. Disgrâces physiques, défiance de ses ennemis et de ses amis, il a tout contre lui; et cependant lorsque ce petit homme s'est emparé de la tribune, il s'y établit si à l'aise, il a tant d'esprit, tant d'esprit, qu'à défaut de tout autre sentiment, on se laisse aller au plaisir de l'écouter, et l'on ne peut lui refuser son admiration."

The party of the Doctrinaires is the only compact and well-organised fraction of the Chamber, and the only one which acknowledges a leader, is possessed of traditional principles, animated by an active ambition, and governed by the science of tactics necessary in a large assembly. It contains men of talent and resolution, such as M. Duchatel, M. Duvergier de Hauranne, M. de Remusat, and M. Jaubert; and it conducts its manœuvres with a skill which supplies the deficiency of numbers, and conceals its internal dissensions by an intrepid demeanour. M. Guizot, who is the natural leader of this party, does not owe his political elevation to a stroke of fortune, like M. Thiers, but to his long and laborious exertions as a statesman. In 1815, he filled the post of Secretary-General in the Department of Justice; and under the administration of M. Decaze, he was appointed a Councillor of State. At the fall of that ministry, which involved the disgrace of the Doctrinaires, he resumed his philosophical and historical studies, and he published his excellent *Essays on the History of France*, which contained the germ of a subject he afterwards completed, in 1828, in his lectures on the progress of civilization. Before 1830, M. Guizot was the most active supporter of the Doctrinaire party, which was represented in

the Lower Chamber by M. Royer Collard, and in the Upper by the Duc de Broglie, propagated in the press by *Le Globe* and the *Revue Française*, and promulgated in the schools by the ardent eloquence of M. Cousin. In all these different branches, M. Guizot took a prominent part; he reproduced the ideas of his party under the forms of books and pamphlets of every kind; his house became the centre of liberalism for the students of the university and the younger branches of a portion of the aristocracy; from which a torrent of ideas took its rise in the shape of political treatises, historical systems, translations, editions, books of education, tales, memoirs, articles for reviews and newspapers, and in the course of five years M. Guizot had put no less than two hundred volumes into circulation: his house was arranged like an encyclopædia.

But after the Revolution of July, M. Guizot dismissed these speculations, and disbanded the troops of authors and booksellers, who besieged his doors. The day for abstract doctrines was past, and that of power was come. M. Guizot was named minister of the interior in the first administration, which collected men of the most opposite characters and opinions in the cabinet. His first act was to distribute the prefectures and sous-prefectures of France among his faithful adherents, just as he had before divided subjects of inquiry and literary occupation among his scholars. It is his power of associating men about him which has given M. Guizot such great influence in his time; and he retained this advantage, even after he left the cabinet; it enabled him to check the administration of M. Laffitte, and to sway that of Casimir Périer. Another change restored him to office, from which he has again, and perhaps definitively, been driven; but though the Chamber dislikes him, he still has much weight with it; and if he is not the most influential politician, he is certainly one of the most remarkable men of his age and country.

As a minister he possessed, to a degree which is extraordinary in France, the power of conducting his party in debate; he was always attentive and conciliating in the lobby, though often stiff and imperious in the Chamber; and he was exceedingly adroit in calling up long-winded or impetuous

orators as the occasion required : by a gesture he knew how to restrain the impatient, and to encourage the faint-hearted, till at the decisive moment his adherents rose with the concentrated vigour of a single man.

But M. Guizot is better versed in political ideas than in the situation of the country. Before the revolution of 1830, he professed to regard the charter of 1814 as the most perfect example of constitutional liberty in Europe ; after the revolution he opposed the lowering of the electoral qualification ; in 1831 he supported the maintenance of the hereditary peerage against the opinion of the nation ; and in like manner, he opposed, through deference to the king, the reduction of the five per cent. stock, to which he was personally inclined. In these several instances he offered a vain resistance to the will of the community, which has ultimately caused his downfall.

The political principles of M. Guizot are, in fact, an assemblage of incoherent views and inapplicable imitations, which are joined together by his powerful mind in a bastard system of eclecticism. He is too apt to borrow, either from the past or from other countries, theories and institutions which are not adapted to the present state of France. As a thinker, an orator, and a writer, M. Guizot occupies a distinguished rank ; but though he is still young, his political career appears to be closed. He has neglected to adopt the only part which remained to him, namely to rally the more moderate legitimists with the more resolute doctrinaires, and thus to constitute a vigorous Tory opposition. If the legitimists agreed to take a part in the elections, they could return fifty or sixty deputies to the Chamber, who, if united to the seventy doctrinaire members, would constitute a powerful counter-opposition.

Hitherto this legitimist party has remained too much under the influence of its prejudices and feelings, and too far removed from the government to mix voluntarily in public affairs. Its object in keeping aloof, has been to place the government in an unnatural position, by separating the influence of the great landowners from that of the state, and thus forming a little *imperium in imperio*.

The legitimists in the present Chamber are men of mediocre abilities, with the exception of M. Berryer ; and it is not the

least remarkable symptom of the decay of the aristocracy in France, that the only man who is able to hold forth in defence of it is one of plebeian extraction, and a member of the legal profession. The partisans of the fallen dynasty can no longer reckon, it would seem, either upon foreign succour or civil war, or even upon the clergy; their only organ is the eloquent voice of M. Berryer. They ought indeed to grant him a civil list; but they give him a subsidy, amounting to about the salary of a French minister, or rather more than 8000*l.* a-year. M. Berryer is born an orator, as M. Thiers is born a journalist, M. Guizot a professor, and M. Dupin an advocate; and such is the charm of his eloquence, that it supplies, whilst he is speaking, the want of sound convictions and a good political education.

To borrow one more extract from the sketches we have already quoted:

“ La nature a traité M. Berryer en favori. Sa taille n'est pas élevée, mais sa belle et expressive figure peint et reflète toutes les passions de son âme. Il domine l'assemblée de sa tête haute; il a le geste moins tranchant, plus noble que M. Guizot, mais ce qu'il a d'incomparable, et pardessus tous les autres orateurs de la chambre, c'est le son de la voix, la première des beautés pour les acteurs et pour les orateurs.

“ M. Berryer ne doit pas seulement sa prééminence au hasard heureux de ses qualités extérieures; il est maître aussi dans l'art oratoire. La plupart des autres parleurs s'abandonnent à la verve de leurs inspirations, et ils rencontrent dans le désordre de leur excursions de beaux mouvements, mais il manœuvre de méthode. On ne sait pas toujours bien, et ils ne savent pas eux-mêmes, d'où ils partent, et où ils veulent arriver. Ils se reposent en route, et font halte pour reconnaître leur chemin. Ce qui rend M. Berryer supérieur c'est que dès le seuil de son discours il voit comme d'un point élevé le but où il tend. Il n'attaque pas brusquement son adversaire, il commence par tracer autour de lui plusieurs lignes de circonvallation; il le débâsque de poste en poste; il le trompe par des marches savantes; il se rapproche peu à peu, il l'enveloppe, il le presse; il l'étouffe dans les plis redoutables de son argumentation. Cette méthode est celle des larges esprits, et elle fatiguerait bientôt un auditoire aussi inattentif qu'une Chambre Française, si M. Berryer ne soutenait pas sa préoccupation légère par le charme de sa voix, l'amination de son geste, et la noblesse élégante de sa diction.”

We have said enough to show that the Chamber of Deputies is not deficient in the number or the splendour of its talents. The men we have described form a constellation of parliamentary abilities, but they are not animated as a body by political principles, and the Chamber vacillates without any certain direction. Moreover, the distance between the leaders and

the subordinates is too great ; the great mass of the deputies are sunk in worse than Bœotian dullness ; they are men who have been transported at once from the village where their lot seemed to be cast, to take an active part in the concerns of state, to penetrate the motives of men, and to foresee the course of events. The greater part of them are either dazzled or stupefied by what is going on around them, and in their torpid ignorance they necessarily fall under the influence of the government.

Meanwhile the bar and the press divide the honours of the Chamber ; and it is worthy of remark, that whereas the bar was formerly the only school for politicians, the press now furnishes the most formidable competitors, and the influence of the lawyers declines daily. The great orators of the Chamber, M. Berryer, M. Dupin, and M. Barrot, are lawyers, but they do not arrive at the head of affairs ; whereas, M. Thiers and M. Guizot, who have exercised a preponderating influence for several years, were educated for political life in the controversies of the press. The effect of this change will be more and more evident in the substitution of solid information respecting the interests of the country, for the sonorous and declamatory tone which now prevails.

It is confessed on all hands in France, that the present Chamber, which yielded a majority to the late ministry, and has now transferred that majority to the present administration, is no longer in reality any support at all ; and an assembly which has ceased to give support, becomes an impediment and a grievance. At the same time it is believed that an immediate dissolution would only prolong the existing uncertainty and anarchy of opinions. Endless are the divisions which occur between the different parts of the country, and different interests of the community ; and whichever way we turn, we are equally embarrassed to discover a trace of any guiding hand or fixed principle. M. Thiers will therefore probably defer the dissolution of the Chamber, till another session has passed ; in the interval the passions of faction will be cooled ; public opinion will be matured ; the throne will be still more firmly established ; and the politics of France may be extricated from those conflicting currents which check or turn aside the firmest principles of government.

Perhaps, however, it is already possible to perceive the direction which the movement of ideas will follow: the feature which is most clearly to be discerned in France is a universal and irresistible tendency to conservation. The same general shape is unconsciously worn by various opinions, whether they revert to past traditions, or strike out into new paths of improvement. The freedom of a country was for a long time a question of personal liberty, and of guarantees to protect individuals from the possible abuses of the prerogative. The form of all the constitutions of the eighteenth and nineteenth centuries is uniformly based on the *rights of men and of citizens*: a form which is in fact purely negative, a powerful instrument indeed for attack or for defence, but which is no longer of any use when the time is come for cultivating in peace the development of the productive forces of society. The liberal institutions of a country now consist in increased facilities of association, of organization, of production, and provision for the wants of the community. The cares of government now succeed to the anxieties of the struggle. Such is the problem which our age is henceforward called upon to solve; and recourse would be had to despotism itself, if the tendencies of liberty, whose power to demolish has been felt by every people in Europe, since the time of Luther, did not also possess a power to constitute and to maintain, without which the ties of society would be dissolved.

---

#### ARTICLE VIII.

*Report of the Commissioners appointed by His Majesty to inquire into the Ecclesiastical Revenues of England and Wales.*

*Reports from His Majesty's Commissioners, appointed to consider the State of the Established Church, with reference to Ecclesiastical Duties and Revenues.*

Ordered to be Printed 19th March, 1835: 10th March, 1836: 20th May, 1836: 30th June, 1836.

FIVE reports now lie before us containing a clear and full exposition of the actual state of the Established Church, as



regards revenues, offices, patronage, residence, and the extent and population of the respective dioceses and parishes. The evidence they afford is of great importance, as supplying the information necessary to guide the legislature in applying such reforms and improvements as the interests of religion require, and the unanimous voice of the people demands. It is also important in another point, as indicating in what direction and to what extent a reforming ministry is disposed to sanction innovation and conduct reform.

Taking these reports, especially the three last, issued and returned under the authority and personal superintendence of the present ministers\*, as the indices of their intentions, we have no hesitation in declaring that they will grievously disappoint the expectations of the community, both as to the extent and as to the direction in which they propose to carry reform. By the community, let it be observed, we do not mean that numerous class who consider a religious establishment superfluous or pernicious, and who, seeing it to be an obstacle to their own peculiar views, labour for its demolition; but those who, like ourselves, are favourable to the institution, and anxious to maintain it, but see no other means of securing that object, than by communicating to it all the purity and efficiency of which a human institution is capable.

We are also bound, in sincerity, to add, that if the ministers and their adherents saw no other abuses in the establishment than those which they have marked in these reports for correction, they have conducted themselves very deceitfully to the people and very treacherously to the church, in cheering and encouraging those bitter and unmeasured invectives by which its corruptions have been denounced, both within and without the walls of parliament.

These proceedings, adopted by some and applauded by others for the sake of acquiring popularity and suffrages, are the more reprehensible, because churchmen have no opportunity, either in the House of Commons, on the hustings, or in popular meetings,

---

\* Among the Commissioners who drew up and subscribed to the three last reports, are the names of Sir C. C. Pepys the present Lord Chancellor, the Marquis of Lansdowne, Lord Melbourne, Lord John Russell, and the Chancellor of the Exchequer.

of repelling the attacks by which they are on every side assailed. Nothing could justify these efforts, made on the part of the advocates of the establishment to excite public indignation against it, but the existence of abuses to the full extent of their statements, and which they exposed with the sole and sincere intention of preparing and disposing the people for their radical extirpation.

That the people are so prepared and disposed, will not admit of a question. But are the present ministers also prepared to satisfy the expectations and wishes of the people, maintain their own consistency, and in doing so, render the best services to religion and the church, by carrying into effect a full, efficient, and *impartial* reform? We confess we cannot discover any satisfactory evidence of such intention in the recommendations contained in the reports of the Church Commissioners, which we now proceed to examine: and the bill which has just been introduced by Lord John Russell for the reform of the church, is a mere echo of the Reports on which it is founded.

The chief subjects of public complaint against the Church, are:

*First*,—The non-residence of incumbents.

*Second*,—The insufficiency of Church accommodation, and pastoral superintendence in the manufacturing districts and populous towns.

*Third*,—The disproportionate remuneration of the inferior members of the Ecclesiastical body.

*Fourth*,—The enormous disparity of dioceses and parishes, and the consequently imperfect discharge of the episcopal and ministerial functions.

*Fifth*,—The abuse of patronage, and the little encouragement given to professional diligence and inobtrusive piety.

Now let us see what kind of remedy, and what amount of reform, the Ecclesiastical Commissioners apply to these several abuses and defects.

The non-residence of incumbents is occasioned principally by three causes; inadequacy of income to support a resident clergyman, dilapidation of glebe houses, and the holding a plurality of benefices by one incumbent.

The amount of non-residence, occasioned by the first of

these causes, may be deduced from the following statements, furnished by the Reports. .

The total number of benefices in England and Wales is 10,718, of which the average net income amounts to 285*l.* Of these 4882 are below 200*l.* a-year.

Now in an opulent country like this, the legislature, we presume, will never confine the income of an incumbent, who is supposed to have a liberal education, and something of the manners and habits of a gentleman, to an amount less than 200*l.* a-year. Consequently he must be left at liberty either to provide himself with another benefice, or a curacy, to eke out his slender resources at least to that extent. Then, we ask what expedients have the Commissioners suggested for curing this defect, and cutting off this source of pluralism and non-residence? We can find none; except it be the application of a portion of the sum of 130,000*l.* at some very remote period to be saved from the gradual reduction of the cathedral establishments. But to raise all the livings now below two hundred a-year to that amount, would require not less than three times that sum; even if it were entirely and immediately to be made available for such purposes. But unfortunately we have to wait, first, until the present incumbents die, or vacate, which we do not complain of; and next, which we do complain of, until their immediate *successors* also are removed. For strange as it may seem, the Commissioners advise that only one half of the canonries they recommend to be abolished, should be so dealt with on the *first* vacancy. No wonder, then, that after this the Commissioners should lament the inadequacy of any means they could devise to meet the necessity of the case.

We think, however, that by the exercise of a little ingenuity, and the application of a little arithmetic to the tables they have published, a scheme might be devised adequate to the exigency of the case. By them it appears that the total net income of the parochial benefices in England and Wales amounts to 3,055,451*l.* Out of this sum it would require 976,400*l.* to pay 4882 incumbents two hundred pounds a-year. It appears by the annexed tabular abstracts\*, that the whole amount of

---

\* See the Abstracts, at the end of this Article.

revenue absorbed by 4135 benefices, varying between two hundred and five hundred a-year, is 1,339,900*l.* This sum added to the 967,400*l.*, required to make 4882 benefices two hundred a-year, makes 2,316,300*l.*, leaving a balance, from the total net income, of 639,151*l.*, with which to keep up the endowments of the remaining 1461 benefices, at the amount of five hundred a-year. The statement then will stand thus:

<i>Number of Benefices.</i>		<i>Annual Income of each.</i>	<i>Income of whole.</i>
4882 .....	at .....	200 <i>l.</i> .....	£976,400
4135 .....	.. between	200 <i>l.</i> & 500 <i>l.</i> ....	1,339,900
1461 .....	at .....	500 <i>l.</i> .....	630,600
178 benefices not returned .	.. Average	285 <i>l.</i> .....	5,063
<hr/>			
10,656		Grand Total, £2,951,963	
<hr/>			

If the aggregate of the several incomes, as calculated in the above schedule, be subtracted from the total net revenue of the parochial endowments, there will remain a balance of 93,488*l.*

It appears, therefore, that the revenues of the Church will suffice for advancing all livings, now standing below two hundred a-year to that sum; for maintaining all benefices now ranging between two hundred and five hundred at their actual value; and for keeping up to the full income of five hundred a-year, those that now exceed that value, leaving a surplus of 93,488*l.* to be distributed among livings of large extent or population, in which the aid of an assistant curate is necessary.

What, therefore, we should venture to suggest is, that all livings now above 500*l.* a-year, as they become vacant, be reduced to that value, and the excess transferred to livings under two hundred a-year, in the order of their necessities; and that no second living should be held by the incumbent of livings of upwards of two hundred a-year, except that second living were of inferior value; and that in no case should two livings be held in plurality, if their conjoint annual value exceeded five hundred pounds a-year. Such an arrangement would have the effect in a very few years of reducing the number of pluralities to a narrow compass, and would at the same time obviate the objection now taken to the enormous inequality of clerical remuneration.

It will be argued, no doubt, that the innovation we are suggesting is too sweeping, and the interference both with public and private patronage too extensive to be either practicable or safe. This argument might have its place and weight in the mouth of a Tory, but from a Whig government, such as the present, it is misplaced affectation and prudery.

The principle upon which the present administration is built and held together—the key-stone of its arch—is the appropriation of a surplus of the revenues of the Established Church to general purposes. This principle is looked upon by them with so much favour, that they antedate the existence of the surplus some twenty or thirty years. At the same time they propose to cut down, very cavalierly, the livings of clergymen, present as well as future, nearly thirty per cent., and transfer these prunings to the owner of the soil. Of the expediency, or justice, or necessity of these measures, we are hazarding no opinion. But we take them as precedents, sufficient at least, and far more than sufficient, to establish our argument as respects a reform administration. For if they feel themselves justified in recommending measures which are characterised by the friends of the Church as confiscation, spoliation, and even sacrilege, what new scruple is this that has come over them, that they should not carry out to the full extent of its usefulness, the principle of a better distribution of the revenues of the Church among its own ministers, a principle which all parties admit to be legitimate, wise, and beneficial, within certain limits—a principle, too, which a vast majority of the parochial clergy earnestly desire to see enforced?

We are not recommending the alienation of ecclesiastical property, nor the deprivation of existing incumbents. What we suggest is, that as livings of upwards of 500*l.* a year fall vacant, the excess above that income should forthwith be transferred to livings of less than 200*l.* a year. This, as far as public patronage is concerned, would work injustice to no individuals; and, as to private patronage, by making compensation to the party, whose preferment is deteriorated, and by exacting corresponding consideration from the patron benefited by the transfer, any serious amount of injustice here also would be obviated.

Another fertile source of non-residence to which we have referred, is the absence, or unfitness, of glebe houses. It appears by the Report, that of 10,553 parishes, from which returns are made, 2878 are destitute of residence houses, and in 1728 they are so dilapidated as to be unfit for habitation—that is to say, nearly one-half of the parishes in this kingdom have no house in which a clergyman can reside. This is surely a very deplorable, not to say disgraceful, state of affairs. It would have been a very useful and appropriate subject of investigation for the Commissioners to ascertain the cause, for the purpose of suggesting an appropriate remedy. The burthen of maintaining a residence-house lies upon the incumbent, and the duty of seeing that burthen unshrinkingly borne is imposed upon the archdeacons. There must have been a sad relaxation of discipline in times past, (for we must not charge this accumulation of neglect upon the present age) to have permitted nearly one-half of the parsonage houses in the empire to go into an uninhabitable state of dilapidation. The Reports contain sundry intimations of the necessity of augmenting the income of archdeacons, but no suggestions for defining or enlarging the sphere of their duties, or enforcing their more energetic discharge.

The incumbents it seems have contrived to evade the charge of repairing their glebe houses, through the supineness of the archdeacons, whose duty it is to report, and of the bishops, whose office it is to order the re-edification of these structures, and sequestrate the profits of the livings until the order is obeyed. We readily admit, that the incumbents of that numerous class of livings below the value of 150*l.* a-year, having no other resources, had not the means of rebuilding a ruinous house. But it does not appear, nor indeed is it the fact, that the dilapidated houses are found only on small livings.

But not to revert further to the past, why, we ask, do not the Commissioners now suggest some measure for remedying, or at least mitigating, such a crying evil?

We should recommend, until a better plan is hit upon, that, in the case of all livings exceeding 200*l.* a-year, on which are no glebe houses fit for residence, one-tenth part of the income should be sequestered for the purpose of restoring or repairing them. This, in many instances, would be sufficient to discharge

the interest, and a per centage of the principal, of such a sum borrowed of the Queen Anne's bounty fund, as would at once restore a decayed and deserted manse. In other instances, a few years' accumulation of this sequestered portion would effect the desired purpose.

We are not suggesting a measure that lays any new burthen upon the clergy, although, in consequence of past negligence and evasion, a disproportionate share may devolve upon the present generation. We believe, however, that such a regulation would not be unacceptable to the clerical community, since they well know that it is the houses of the non-resident or the indolent which fall to ruin, and that they elude other burthens besides that of maintaining a decent parsonage.

Before we pass from the topic of archdeacons, we would beg leave to recommend, that, previously to any addition being made to their stipends, their powers, duties, and districts, should be defined, and their responsibility to some tribunal, other than the bishop who appoints them, established. In which event, we should be ready to admit that they might become, what the report by a species of prolepsis describes them to be already, "most important officers of the Church;" then too they would earn, and no one would grudge them, an adequate augmentation of salary.

While on the subject of pluralities and dilapidations, we think it but fair, both to the Commissioners and our readers, to extract the suggestion of the Commissioners in their own words; some of which we wish to have placed upon record, that their authors may be bound by them both in their legislative and administrative capacity.

After stating that out of 10,478 *returned* benefices, 8528 are destitute of glebe houses, they proceed :

"On many of these benefices there is no glebe house, nor do they furnish the means of erecting any. It is difficult, in many cases, to provide for the performance of the spiritual duties of very poor livings, except by entrusting them to the clergyman of some neighbouring parish. With the evils, however, which may be supposed to result from such a state of things, there is this advantage, that it furnishes employment for young men, upon their first entering into the ministry, in the character of stipendiary curates, a regular supply of whom is indispensable to the efficiency and good order of the Established Church. Nevertheless it has been long admitted that pluralities, if not wholly abolished, should be restricted within as narrow limits as the actual state of the Church will permit; and it is not unreasonable to expect, that such a restriction may lead to the augmentation of many of

the poorer benefices, partly from private resources, and partly from the funds which the operation of measures proposed by us may render available to that purpose."

This is well spoken. The principles advanced are quite unexceptionable; but let us see how they are reduced to practice.

"In determining the principles," says the Report, "upon which the holding of benefices in plurality should in future be regulated, we have had respect partly to distance, and partly to value.

"With respect to distance, we are of opinion, that if an incumbent be permitted to hold two benefices, distant from each other *not more than ten miles*, he will be able, without inconvenience, to exercise an occasional superintendence and control over the benefice upon which he does not reside, the regular duties of which will be performed by his curate."—*Second Report*, p. 15.

This latitude of ten miles distance between the two parishes, especially if the extremities of the parishes are intended, does not quite quadrate with the canon, "that pluralities, if not wholly abolished, should be restricted within as narrow limits as the actual state of the Church will permit." But let that pass for the present.

"With respect to value," they proceed to say, "we recommend, that no benefice, of greater annual value than *five hundred pounds*, should be held in plurality with any other benefice, except in cases where the small value, or *large population*, of some neighbouring benefice may render it advisable, that it should be held by the incumbent of a better living. In such cases, we recommend that upon a statement, made by the Bishop of the diocese to the Archbishop, and transmitted, with the sanction of his approval, to the Privy Council, it shall be lawful for your Majesty in council to allow such plurality."

This, we think, is a very Hibernian fashion of abolishing pluralities, since it would admit into the class of benefices which may be held in conjunction many which are by the present law excluded, except by royal dispensation.

The Commissioners then, by their report, sanction an arrangement, by which an incumbent may hold any two livings, each less than 500*l.* a-year, if within the distance of ten miles of each other. Now, be it remembered, that of the 10,478 livings returned to the Commissioners, above 9000 are below 500*l.* a-year. If, then, it be expedient to allow nine-tenths of the whole to be held in plurality, it cannot be very inexpedient to suffer the remaining small portion to continue liable to the same tenure.

But it may be said that the limit as to distance furnishes a more efficient restriction upon the frequency of pluralities.



Every one knows, however, that if a patron has the command of two benefices, one in Cornwall, the other in Northumberland, there are ways and means of bringing them (or their substitutes) within ten miles of each other, or even into immediate contact. We affirm, then, that the suggestion of the King's Commissioners for repressing the frequency of pluralities is utterly futile and delusive. We, therefore, in opposition to such high authority, venture to recommend that, instead of a pluralist being permitted to hold two livings, each not exceeding 500*l.* a-year, both together shall not exceed that amount. With such a limit as to value, we should not think it necessary to be so precise as to distance. We do not think proximity any reason for holding two livings in conjunction, when there is not a sufficient cause independent of it; neither do we think distance, except it be immoderate, a reason for *not* holding two livings, if there be otherwise a sufficient reason for it.

We now come to the consideration of the insufficiency of church accommodation and pastoral superintendence in the large towns and other populous districts. We learn from the second report (pp. 6 and 7) :

" That there are in London and its suburbs four parishes, or districts, each having a population exceeding 20,000, and containing an aggregate of 166,000 persons, with church accommodation for 8200 (not quite one-twentieth of the whole), and only eleven clergymen.

" There are twenty-one others, the aggregate population of which is 739,000, while the church-room is for 66,000 (not one-tenth of the whole), and only forty-five clergymen.

" There are nine others, with an aggregate population of 232,000, and church-room for 27,327, and only nineteen clergymen.

" Allowing one church for a population of 3000, there would be required in these parishes 379 churches, whereas, there are in fact only 69, or if proprietary chapels be added, about 100, leaving a deficiency of 278, while there are only 139 clergymen, in a population exceeding a million."

This is the account given of London alone. But in some provincial districts, where manufactures have extended themselves in late years, the deficiency is not much less appalling.

" In the diocese of Chester there are thirty-eight parishes, or districts, in Lancashire, each with a population exceeding 10,000, containing an aggregate of 816,000 souls, with church-room for 97,700, or about one-eighth, the proportions varying in the different parishes from one-sixth to one-twenty-third.

" In the diocese of York, there are twenty parishes or districts, each with a population exceeding 10,000, and with an aggregate of 402,000, while the

church accomodation is for 48,000 ; the proportions varying from one-tenth to one-thirtieth."—*Second Report*, p. 6.

These statements, not to extract others of similar import, are quite sufficient to warrant the observations by which they are followed :

" The evils which flow from this deficiency in the means of religious instruction and pastoral superintendence greatly outweigh all other inconveniences, resulting from any other defects or anomalies in our ecclesiastical institutions ; and it unfortunately happens, that while these evils are the most urgent of all, and most require the application of an effectual remedy, they are precisely those for which a remedy can least easily be found.

" The resources which the Established Church possesses, and which can properly be made available to that purpose, in whatever way they may be hunched, or distributed, are evidently quite inadequate to the exigency of the case ; and all that we can hope to do is, gradually to diminish the intensity of the evil."

We have now to consider the means suggested by the Commissioners for " diminishing the intensity of the evil."

After touching upon what has been done by extraneous and voluntary co-operation, which they confess " to be very far " short of the necessity of the case," they advance, but very cautiously and delicately and doubtingly, upon the tender ground of Cathedral and Collegiate churches. " If," say they, " the endowment of those bodies *should appear* to be larger " than is requisite for the purposes of their institution." They admit, however, at last, that the surplus of their endowments, after provision is made for maintaining them in a state of efficiency and respectability with a reduced establishment of a dean and four canons, " ought to be made available for the " augmentation of poor benefices, containing a large population, and to the great object of adding to the number of " the parochial clergy."—*Second Report*, p. 8.

In the application of this surplus, we should dissent from the Commissioners so far only that we would apply it solely and entirely to " the great object of adding to the number of " the parochial clergy." Not that we do not think the augmentation of the poor livings a very important and desirable object, but that we think the extension of pastoral superintendence to the thousands, not to say millions, now virtually destitute of it, an object of paramount and far more urgent necessity. In this opinion we are supported by the Commissioners themselves, who declare, that " the evils which flow

“ from the deficiency of pastoral superintendence, greatly  
 “ outweigh all other inconveniences, and are the most urgent  
 “ of all, and most require the application of an effectual  
 “ remedy.”—*Second Report*, p. 7.

Why then not direct all the resources in their power to the mitigation of the “ most urgent and intense evil ?”

We have already presumed to recommend a mode of augmenting the poorer livings, by transferring to them the redundancies of the richer. If such a plan were adopted, there would be less difficulty in appropriating the whole of the surplus of the cathedral revenues to that most important purpose of furnishing parochial superintendence to populous districts at present destitute of it.

If we differ from the Commissioners in the application of the surplus, we differ still more in the means we would employ, and the extent to which we would go in creating it. It appears, from the Revenue Report, that the total amount of the income of the cathedral and collegiate churches is 274,754*l.* Here then are funds sufficient to endow one thousand fresh livings with an income of two hundred pounds a year, leaving still 74,754*l.* for the support of cathedrals.

We do not suggest such a distribution of the funds of the cathedrals, from any hostile feeling to that portion of our ecclesiastical establishment. We should be glad to see them and their dignitaries maintained in all their ancient magnificence, if we could suppose, that either from public or private sources, means could be drawn for supplying the spiritual wants of large masses of population now utterly abandoned by the Church. But, while institutions remain to absorb the existing funds of the Church, which are deemed by some useless and superfluous, by others injurious, we do not see the remotest probability of deriving any efficient aid from other sources, eleemosynary or parliamentary. The question, therefore, presents itself in this shape: whether we shall maintain our cathedral establishment, to the extent indicated by the Reports, or shall we supply the means of religious instruction to two millions of individuals now destitute of it? We believe very few disinterested and religiously minded persons would hesitate which alternative they would adopt. We do not believe that the cathedral establishments, in the present

state of society, render any great amount of service to the interests of religion. We know they excite, in some quarters, considerable odium and ill-will against the Church. The Commissioners tell us, indeed,

“ That the advantages resulting to the interests of religion, from the existence of this species of preferment, *when conferred on clergymen distinguished for professional merit*, as well as the benefits accruing to the cities in which the cathedrals are situated, from the residence of such a description of clergy, are *too obvious to require illustration.*”

We do not question but that the interests of religion are, to a certain degree, advanced, and benefits do accrue to cities, by appointing men to such preferments “distinguished for professional merit.” But the plain fact is, that as this species of preferment is attended with the least professional labour, and the most professional emolument, it is generally sought after and bestowed with the least regard to professional merit. We willingly concede, however, that recently more regard has been paid to literary merit, at least; that many deserving clergymen are found among the cathedral dignitaries; and that even professional claims could not, and would not, in future, be habitually overlooked. But we are, nevertheless, convinced that no improvement, however extensive and judicious—no selection of incumbents, however disinterested—could place cathedrals in a position to render service to religion in any proportion equal to that which would be rendered by employing a thousand parish priests among the undisciplined and profligate masses of our manufacturing towns and villages.

Chapters have survived their original use, and do not appear to have succeeded to any other functions which are very essential to the promotion of religion. The dean and canons were originally the most influential presbyters of the ecclesiastical district, and to them was committed the election of the Bishop, to whom they afterwards lent their aid and counsel in consistory. This, their primary, their consistorial occupation is gone, and they now but serve the purpose of a Corinthian capital to the sacred edifice, too gorgeous, and too sumptuous, as we contend, for the plainness and poverty of the other and more essential members of the building. We should be sorry to see cathedrals dilapidated, and their services abolished, but we cannot help thinking that if an adequate income were

assigned to one residentiary, and a fund sufficient to maintain the fabric, then the canons, major and minor, would be much better employed in ministerial labours among the poor than in officiating at cathedral ceremonies, sometimes to a select, but thin congregation, at other times, and more frequently, to bare benches, and empty stalls.

With regard to the fresh allocation of episcopal sees, we willingly acknowledge that a great improvement will be made by its approximation to equality, both as regards extent of charge and amount of income. We are at a loss to conceive, however, why a much nearer approximation should not have been made, and why the principle both of geography, population, and number of benefices, should in some instances be so unaccountably overlooked. As to revenue, the incomes of the bishops are made to vary from 4000*l.* to 15,000*l.* a-year, thus still leaving materials for keeping alive the system of translations, which has proved such a fertile source of scandal and secularity to the episcopal order. We frankly avow that we think 4000*l.* a-year too little for a bishop, whose duty it is to take long journeys, both in his diocese and to attend his parliamentary duties. On the other hand, we think 15,000*l.* a-year too much even for an archbishop—even the Archbishop of Canterbury himself.

We take exception to this amount of income, both as furnishing a mark for envy to point its shafts at, and also as absorbing too large a proportion of the common funds of the church. Believing, as we sincerely and conscientiously do, that the ecclesiastical property is applied to purposes quite as beneficial as property in the hands of the laity, we should not be sorry to find that the church possessed endowments sufficient to reward all its active and conscientious ministers in the proportion of 15,000*l.* a-year to the metropolitan. But it is undeniable, that if so high an income be assigned to one individual, many of its inferior functionaries must be left miserably, and in the comparison, scandalously poor, while many districts, as at present, will be left destitute of all religious instruction and superintendence.

We are aware, and have no desire to dissemble, that these disproportionate and enormous incomes in the hands of bishops have been used of late years so judiciously and liberally in some cases to the extension of parochial ministrations, as very

much to mitigate the inconvenience and odium attached to their magnitude. But this is no argument against our purpose, which is to apply the superfluous portions of the episcopal endowments, which are now indeed frequently but yet casually bestowed for these good ends, permanently and systematically to the extension of the influence and usefulness of the establishment. It should be remembered, then, that if 15,000*l.* be more by 5000*l.* a-year than is necessary to uphold the dignity of the metropolitan, the means are needlessly absorbed, in one single office, of stationing twenty-five religious ministers among the crowds, who are now in effect destitute of ministerial inspection and counsel. Besides, the episcopal revenues will not be sufficient to endow the new bishoprics and maintain the old ones, at the rate of income recommended by the Commissioners.

But our readers must be weary of hearing, as we are of writing, about nothing but the pecuniary affairs of the church. Let us now advert for a moment to its appropriate functions. The scene of the episcopal labours is geographically defined, and the amount of remuneration fixed; but we see no duties prescribed. Much legislative attention has been very properly given of late years to the investigation of the conduct and occupations of the parochial clergy, but none, that we have heard of, to that of the governing body. How does this happen? We are accustomed, however, to hear from every quarter complaints, deep if not loud, of the extreme irregularity of the bishops in the discharge of their diocesan functions. We have the means of knowing that the parochial clergy experience the greatest inconvenience, and the interests of the church the greatest detriment, from the rarity and uncertainty of ordinations, visitations, confirmations, and other episcopal ordinances. There are many populous towns in which no confirmation has been held for many years. The visitations of the clergy are usually triennial; but even this long interval is often extended, and many of the parochial clergy scarcely know the face of their spiritual ruler.

The custom, too, of the provincial bishops holding their ordinations in London, at uncertain times, and often at distant intervals, is a very serious inconvenience and expense to the candidates. Young men, preparatory to a searching exami-

nation, and a most serious and solemn engagement, are called upon to travel two or three hundred miles, and involve themselves in the hurry and tumult of the metropolis—a very inappropriate debüt, certainly, for the clerical aspirant. Nor is the point of expense a trifling consideration to a curate, who, in some instances, spends a quarter's stipend in travelling to London, and discharging the fees and other expenses of his ordination. We trust, therefore, that the Commissioners will issue a supplementary report, urging the legislature to establish by law fixed times and places for granting institutions, holding ordinations, confirmations, and visitations in every diocese, as also an authorised table of fees to be paid by the clergy to the several officers of the bishops.

We observe that the Commissioners advise that a very large addition should be made to the patronage of prelates, and especially that—

“Some advowsons should be transferred to the bishops of the new sees, it being, in their opinion, expedient for the interests of the Church, that the bishops of those sees shall possess a certain portion of patronage, in order that they may be enabled to reward deserving clergymen within their dioceses.”

It is unquestionably expedient for the interests of the Church and the religious community, in the most extensive and most momentous meaning of the phrase, that patronage should be exercised “to reward deserving clergymen.” But we seriously put it to the ecclesiastical commissioners, lay and clerical, as they must answer for it to their conscience and their country, to the present generation and to posterity, whether they sincerely believe that the increased patronage, thus to be placed in the hands of bishops, new and old, if so placed, without any check or controul, will be conscientiously and exclusively employed for the purpose of “rewarding deserving clergymen.” Before they placed their hands and seals to a sentence implying a well-grounded confidence in such an employment of it, they were in duty bound to have instituted an inquiry into the manner of its disposal in times past. They ought to have ascertained in what proportion episcopal patrons had bestowed preferment upon “deserving clergymen within their dioceses,” and in what proportion upon strangers to the diocese, their own sons and sons-in-law, nephews, relations, dependents, and flatterers. Such an investigation would have led them, if

they have any honest intentions, to take some precautions and furnish some securities for the judicious distribution both of the actual, and additional patronage of the bishops.

We do not hesitate to affirm that all the other causes combined, including those so pathetically lamented by the commissioners themselves, as producing weakness, disorder, and danger to the Church, have contributed less to that effect than the baneful operation of an inofficious and unprincipled distribution of preferment. We think that the inequality of endowments, the insufficiency of pastoral superintendence, non-residence, and pluralities, have each had a subordinate share ; but in small proportion compared with the paralysing effect produced by the disregard of "deserving clergymen," on account of the discouragement it has occasioned to professional diligence, the disgust it has created amongst the laity, and the handle it has given to dissenters to represent the establishment as deeply impregnated with a secular and mercenary spirit.

We know it is assumed that a new and purer æra has arrived—"En nova progenies !" We have looked in vain for the practical illustrations. Instances of abuse of public patronage have come before us, under the new regime, and quite recently too, as revolting as any we ever knew of in the most palmy days of toryism—instances, which cannot be unknown to some of the commissioners themselves—instances, in which the claims of desert have been held as nothing against the claims of consanguinity, and political connection in untried youth has been preferred to the just pretensions of all "the deserving clergymen" of the diocese. This conduct is deeply reprehensible whoever is guilty of it, but it has a deeper stain of turpitude in the hypocrisy of those who pretend to superior purity, and are forward to proclaim to the world, "we are not as other men are."

When the Commissioners suggest any useful improvement, we are very ready gratefully to acknowledge the boon. Of this nature is the recommendation they give, "that no person be hereafter capable of receiving the appointment of dean, archdeacon, or canon, until he shall have been six years complete in *priests orders*." The principle, at least, is good ; it is one step, though a short one, in the right direction ; and we trust that our legislators will follow out the idea, and provide



that this species of preferment, if preserved, shall be conferred on those who have passed a probationary period of *active duty*, not merely during *six*, but *three times six years*.

We have already taken occasion to extract a passage from the second report, in which the Commissioners mention, as one advantage at least of pluralities, "that it furnishes employment for young men, upon their first entering into the ministry," &c. In this opinion we entirely acquiesce, if they mean, as we believe they do, that this probationary employment is designed to give young men the practice and proficiency requisite for directing a parish as incumbents.

Upon this principle we found another suggestion, which we should have rejoiced to find among the recommendations of the Commissioners, especially as they are all patrons, as a test at once of their judgment and sincerity; viz. that no public preferment should be bestowed upon any clergyman, who does not furnish a certificate of his having faithfully discharged, during at least three years, the duties of a stipendiary curate. This would seem to be as little caution as could be exercised in consigning the moral and spiritual interests of a parish to a young man. It would, moreover, prove some check to the prevailing system of nepotism, of which the most revolting feature is, that, untried, unpractised, and therefore *undeserving* youths, are summarily preferred, in derogation of the claims of the old and faithful servants of the church.

We are far from thinking, however, that this alone would be a sufficient security for the just distribution of the vast patronage which, if the contemplated changes in the cathedrals are carried into effect, the bishops will be permitted to wield.

We deem it of the utmost importance that some other expedient should be devised to secure that most essential point. This might be done, either by requiring that the name and residence of every presentee should be announced to his intended parishioners, a certain number of days previous to institution, and the objection of two-thirds of the lay householders, in communion with the church, be admitted as a bar to the appointment; or, a tribunal might be formed of incumbents, two to be chosen by the clergy of each deanery in every diocese, whose sanction should be necessary to give validity to all institutions to public patronage, within their

province. It would not be desirable to give this tribunal any direct influence in such appointments, but merely the power of interposing a negative to unworthy institutions, whether they originated in the selfishness or the ignorance of patrons. Considering, both the great portion of the year which bishops pass at a distance from their dioceses, and the little intercourse they have with the great body of their clergy while they are residing at their episcopal palaces, such a precaution cannot be deemed superfluous,—it would be acceptable to conscientious prelates, and necessary to all.

Such a tribunal might also answer other good purposes; it might serve, in the repression of irregularities, to temper the despotic character, and at the same time give vigour to the ordinary and legitimate power of the diocesans.

It is generally admitted, we believe, that the power of the ordinary to pronounce a sentence of suspension, deprivation, or even degradation, without the aid of any fixed assessor or jury, is an undue and exorbitant prerogative. That the character, the comfort, the property, and the very existence of a clergyman should depend upon the uncontrolled sentence of a single person, although that person is a bishop, does appear to be incompatible with the freedom of the British constitution, the manly independence of the clergy, and even with the strict and impartial exercise of discipline. We do not believe that in practice it leads so much to excessive and capricious severity as to pernicious laxity. The diocesan is naturally averse from inflicting a severe and summary punishment, however merited, upon an individual, on his own responsibility, and therefore either connives at irregularities, or has recourse to a tedious and circuitous process, under which the feeble indeed are crushed, but from which the strong and dexterous frequently escape. The consciousness, however, of possessing such inordinate powers, sometimes encourages a bishop to animadvert, with unseasonable and unwarrantable severity, upon the delinquencies of his clergy, credited, perhaps, upon very slight evidence, and estimated by a very defective standard. But that we wish to avoid all personalities, we could adduce instances of this informal exercise of authority, scarcely less oppressive, to the apprehension of the sufferers, than the heaviest legal penalties.

We are glad therefore, to observe, in the bill introduced by the Lord Chancellor, "for the more effectually enforcing discipline in the church," which is just now come into our hands, that it is provided that "no charge or suit shall be heard by any bishop against spiritual persons, except in the presence, and with the assistance of a legal assessor, and a jury of nine clergymen, holding benefices within the province or diocese." Although the power of this jury might unquestionably be misused in certain cases to promote those party triumphs in which our clergy have occasionally taken too active a share, yet, under the control of the bishop, it may be pronounced to be a liberal and salutary measure, at once affording security and satisfaction to the diligent and conscientious clergyman, and putting the indolent and unprincipled upon his guard; as a pledge to the former, that he will not suffer unjustly, and to the latter, that he will not offend with impunity, for want of an equitable and efficient tribunal. This measure, we need hardly say, does not originate from any suggestion in the Reports—"non ejusdem farinæ."

Our limits will not admit of our extending further the analysis of these Reports. Upon the whole, we may say of them, but especially of the fourth and last, that they contain many useful suggestions, and recommend many important and beneficial improvements. But we are sorry to observe, that they are concocted in a very exclusive and illiberal spirit. It is evident that in the commission, as in parliament, the dignified clergy are represented; as it is evident that the inferior order are not. The Commissioners have not, certainly, been unmindful of the interests of the Church and the community; but they seem to have been very much more mindful of themselves, and of the class to whom they belong. The problem they have undertaken to solve, appears to have been this:—*Of what reform and improvement is the Church capable, consistently with an equal improvement of our power and patronage?* By the exercise of uncommon pains and ingenuity, they have contrived to carry forward these two objects, *pari passu*, to a greater extent than ordinary men would have thought possible.

But the Reports of the Commissioners, however authoritative, are not acts of Parliament. We appeal, therefore, from

Lord Melbourne in the conclave to Lord Melbourne in the cabinet; or rather, in the senate: We appeal, moreover, to the enlightened and liberal members of the House of Commons—but most of all do we implore the *sincere Conservatives* not to suffer the auspicious moment to pass over, for placing the Church upon a broad and solid basis of equal justice and equal efficiency for all its members—“without partiality, and “without hypocrisy.”

The whole subject is now thrown open. The Church can no longer prescribe against secular intrusion, or for immunity from Parliamentary regulation. She has encountered the peril of *innovation*—let her gain the security of *renovation*. Let this, too, be done at once. We recognise the evil of a perpetual intermeddling with religious institutions, and the continued discussion of sacred subjects in popular assemblies. But to leave the Church in that imperfect state of improvement, which the Reports advise, is to open a door to endless discussion. It would neither satisfy the wishes of sincere friends, nor silence the accusations of implacable enemies, nor, what is worst of all, effectually accomplish those high purposes for which churches are established.

We know it is the wish of many enthusiastic reformers, that the abuses and defects of the Church should remain uncorrected, and find their natural termination in its ruin. We do not suspect the Commissioners of any such design. They only through inadvertence promote it.

With such views, however, we have no participation, no sympathy. We believe that our ecclesiastical and civil institutions are so firmly and indissolubly bound together, that no force less than a violence destructive of both can separate them. On this account alone, therefore, should we be anxious to improve that we might preserve, and to spare no abuse that could either endanger the permanency, or paralyse the energies, of the Church.

Besides, when we look to the character of the English people, and more especially to those who receive their instructions from the established ministry, we cannot help viewing it with considerable satisfaction and complacency, when compared with the social condition of other nations; and it would be injustice to the clergy not to suppose that they exercise a

considerable influence in the formation of that character. In casting our eyes over Christendom, whether we turn our eyes to France, where religious principles have been almost obliterated, and where the influence of the ministers of religion has almost ceased to operate among her urban population—or to Spain, where the ignorance and superstition, long nursed by its powerful hierarchy and hosts of subordinate ministers, are passing into infidelity and insurrection, preparatory to a long series of sanguinary and convulsive struggles—or to Ireland, where the influence of the priesthood over the peasantry seems to be available for every purpose of turbulence, and none of sobriety, humanity, or social tranquillity—we have reason to congratulate ourselves that we live in the bosom of English society, not faultless indeed, but most favourably contrasted with the specimens we have exhibited. In producing these advantageous results, we do not doubt but that the sound morality fortified by sober religious principles, inculcated in our churches, has an important share. From a participation in this beneficial operation, we by no means intend to exclude the enlightened and tolerant dissenters. We acknowledge, with gratitude, what we owe to their ministrations in the great towns.

But the educated and sober-minded among the separatists themselves, will join us in deploring those wild fanatical ravings and gesticulations, practised in the lower class of conventicles, which disgrace the name of christianity, and resemble the sensual orgies of pagans more than the pure, spiritual, decent, worship of christians. Our purpose, therefore, is to uphold the Church in its integrity, and restore it to its efficiency, as a barrier against infidelity on the one side, and fanaticism on the other: for which, we consider the voluntary principle to be of itself insufficient.

We would, at this point, venture to throw in a word of advice to the ministers, both of the established and dissenting congregations. During the late period of violent political agitation, speculators in politics have taken great and not unsuccessful pains to exasperate them mutually against each other, by appealing to the fears of one party and the interests of the other, and by exciting the passions and prejudices of both, to encourage churchmen to oppose the civil privileges

of dissenters, and dissenters to assail the endowments of the Church. Now we assure them, that nothing is more unseemly—nothing more offensive, than to see the ministers of different denominations committed in bitter strife with each other concerning secular interests, while the scorner exultingly and sneeringly points to them and asks:

“Tantæne animis celestibus iræ?”

The effect is to bring discredit upon both parties, and more especially upon that, whichever it be, that exhibits the most prejudice and violence. We are happy to observe symptoms of a return to peace and christian charity. We think it might contribute to it, if the contending parties would sometimes reflect in how many essential articles both have a common faith, and therefore it would seem, a common interest. It would also be worth while to consider how little respect for either is entertained by the trading politicians, who are keeping alive their mutual jealousy and acrimony to serve their own ambitious purposes. “Ye are brethren,” says a purer spirit, “why do “ye wrong one to another?”

We know that a portion of the dissenters justify their uncompromising opposition to a religious establishment upon conscientious grounds. But the precedent of an established and endowed priesthood under the Jewish theocracy appears to us subversive of that position. We do not quote the precedent as conclusive of the necessity, or even the expediency, of such a system; but we cannot help thinking that, since in the only instance in which a civil constitution was given by the Deity himself an endowed and established ministry formed an integral and essential branch of it, all who admit the Bible as the standard of right and wrong, must admit the religious *lawfulness* of such an institution.

But certain classes, who acknowledge the validity of this general argument, yet except that they cannot conscientiously contribute to the support of doctrines and worship which they deem unscriptural. This may be a very fair exception, as far as it applies to *voluntary* contributions. But as to involuntary and compulsory payments, which are all that the law enforces, they stand upon a very different ground. If the supreme legislature of a country has assigned to a body of men a certain portion (a tenth for instance) of any estate, that por-

tion is to all intents and purposes the bona fide property of that body, and *not* of the individual who possesses the remaining portion. To withhold it, therefore, is an act of apparent duty, but of real dishonesty. It is so well known, both in theory and practice, that property is the creature of the law, that it is wonderful, at this day, that any one should be found to question it. In this and all other civilized countries, every species of property, corporate and sole, ecclesiastical and lay, is held on the tenure of the will of the nation, declared by its legislature, and enforced by its executive functionaries. Prudent governments, except in the process of revolution, are cautious and reserved in the use of such a power, being sensible of the evils that result from frequent and unrestrained transfer of property by summary legislative enactments. They do, however, exercise it daily in the case of rail-roads, improvement of towns, harbours, and other public works. In these enterprises Quakers and other scrupulous religionists often have a share; nor do they, we presume, stay proceedings which the law has once sanctioned, till they have ascertained that each proprietor whose property is alienated, is satisfied with his compensation, and with the utility, moral and social, of the undertaking. The legislature has transferred the property upon certain conditions from one set of proprietors to another, who now consider it lawfully theirs, and use it as such without any scruple. Our conclusion, therefore is, that sums of money made payable by law, are the real property of the persons to whom they are payable, and who must be accountable for their due application, and not of the holders, whose duty and responsibility are discharged by paying them over to the *lawful* owners.

But we have yet to meet the objections of a more numerous and liberal class of assailants, who maintain that the institution of religious establishments is not within the scope of civil associations. To this opinion, the authority of Locke has greatly contributed, who has said,—

“That the commonwealth seems to be a society of men, constituted only for the procuring, preserving, and advancing their own civil interests. Civil interests, I call life, liberty, health, and indolency of body, and the possession of outward things, such as money, lands, houses, furniture, and the like.”—*Letters on Toleration*.

After all the arguments which Locke and his disciples have

used, we do not see why a body of men may not coalesce in civil society, upon any terms they are agreed upon, or introduce any institution which they, or their representatives, may consider conducive to their general welfare, present or future. Upon this principle, at least, all states have acted, from the earliest date of civil history up to this moment; in confirmation of this, we need not go back to the Pontifical College of ancient Rome, and the theatrical institutions of Athens, to which so large a portion of the public funds were devoted. Neither is it necessary to refer to the magnificent institutions founded and supported at the public expense by the more modern republics of Italy, since in all the European states we find establishments, at this moment, erected and sustained by the state, for the diffusion of knowledge, the advancement of science, the refinement of manners, and the encouragement of letters and arts. In point of practice and precedent, therefore, it appears that nations have prescribed to themselves no other limits in the financial support they have given to institutions, of whatever nature, but that which the general welfare prescribed.

It is however replied that the dissenters, who contribute their quota to our religious establishment, derive no benefit from it, either as religionists or citizens. Admitting this, which we do only for the sake of argument, yet it does not exempt them from the duty of acquiescing in *any* public institution, established by the supreme legislature. Those who advance this plea and inveigh most loudly against the hardship of such compulsory contribution, yet do not hesitate to vote large sums of public money for the establishment of libraries, museums, and national galleries, and for the purchase of natural curiosities, paintings, books, and other works of art—for many purposes in which a great proportion of the taxed community take no interest, and have no profitable participation—nay, to the very principle and working of which they are conscientiously opposed.

But we do not think it necessary to pursue this argument further. If the establishment can be saved from its injudicious and hollow friends, we have no apprehension that it will perish by the efforts of its conscientious opponents. We hope and believe that the Anglican Church is destined long to stand in



improved efficiency and purity, and therefore in augmented dignity and stability. But if it does fall, we are sure it will fall by the error of its own members, who pertinaciously cling to those defects and disorders, which impair its usefulness, and endanger its safety.

TABLE OF SINECURE RECTORIES.

DIocese.	Number of Sinecure Rectories returned to the Commissioners,* exclusive of those annexed to other Preferments.†	Aggregate Amount of the Gross Incomes in each Diocese.	Average Gross Income.	Aggregate Amount of the Net Incomes in each Diocese.	Average Net Income.
		£.	£.	£.	£.
St. Asaph . . .	12	3,868	322	3,566	297
Bangor . . .	..	..	..	..	..
Bath and Wells . .	2	389	194	386	193
Bristol . . .	1	94	..	94	..
Canterbury . . .	7	1,993	284	1,653	236
Carlisle . . .	..	..	..	..	..
Chester . . .	..	..	..	..	..
Chichester . . .	2	942	471	890	445
St. David's . . .	8	1,990	248	1,769	221
Durham . . .	..	..	..	..	..
Ely . . .	4	2,776	694	2,522	630
Exeter . . .	3	654	218	561	187
Gloucester . . .	..	..	..	..	..
Hereford . . .	3	680	226	612	204
Lichfield & Coventry	1	20	..	20	..
Lincoln . . .	2	920	460	902	451
Llandaff . . .	..	..	..	..	..
London . . .	6	1,662	277	1,549	258
Norwich . . .	5	1,048	208	1,035	207
Oxford . . .	..	..	..	..	..
Peterborough . . .	..	..	..	..	..
Rochester . . .	..	..	..	..	..
Salisbury . . .	2	601	300	597	298
Winchester . . .	2	434	217	402	201
Worcester . . .	..	..	..	..	..
York . . .	2	556	278	537	268
Sodor and Man . .	..	..	..	..	..
Totals . . .	62	18,622	..	17,095	..
		Average . . £.300		Average . £.275	

\* There are four sinecure rectories not returned.

† Two in number.

### *Ecclenastical Reform.*

DIOCESES.	NUMBER OF BENEFICES		Average of Stipends.	Amount of Stipends of Curates in each Diocese.	Number of Curates in Each Diocese.	Average of Net Income.	Average of Gross Income.	Average of Stipends of Incumbents in each Diocese exclusive of those mentioned.	Average of Gross Income.	Average of Stipends of Incumbents in each Diocese exclusive of those mentioned.	Number of Benefices returned to the Commission.
	In each Diocese.	Returned to the Commission.									
St. Asaph	143	2	£. 82	£. 3,564	43	£. 271	£. 297	£. 38,840	£. 297	£. 42,592	143
Bangor	123	..	77	4,723	61	252	285	31,061	285	35,064	123
Bath and Wells	430	..	81	18,578	229	256	281	109,397	281	120,310	430
Bristol	253	..	80	10,668	133	282	304	71,397	304	77,056	253
Canterbury	346	..	84	14,656	174	318	358	110,050	358	123,946	346
Cardinal	124	..	83	3,684	44	175	181	21,777	181	22,487	124
Chester	630	..	87	23,239	266	252	269	159,372	269	169,495	630
Chichester	267	..	78	9,440	121	282	309	75,522	309	82,673	267
St. David's	409	..	55	11,464	206	137	148	56,317	148	60,653	409
Durham	192	..	86	8,566	100	352	387	67,639	387	74,457	192
Ely	150	..	87	6,583	75	353	376	53,000	376	56,495	150
Exeter	613	..	89	28,759	323	254	316	174,275	316	194,181	613
Gloucester	283	..	80	11,405	142	273	288	77,429	288	81,552	283
Hereford	321	..	81	13,035	159	274	291	87,987	291	93,552	321
Lichfield and Coventry	610	..	81	24,948	307	260	278	159,073	278	170,104	610
Lincoln	1,251	..	77	48,347	629	286	298	358,073	298	373,976	1,251
Llandaff	192	..	59	6,749	113	177	189	34,077	189	36,347	192
London	640	..	99	35,118	352	399	418	255,509	418	267,742	640
Norwich	1,026	..	73	38,510	522	250	323	321,323	323	331,750	1,026
Oxford	196	..	78	8,054	103	319	262	49,088	262	51,395	196
Peterborough	293	..	81	11,266	139	414	355	93,652	355	98,381	293
Rochester	94	..	109	6,551	60	320	474	39,007	474	44,565	94
Salisbury	398	..	81	18,174	223	342	337	127,459	337	134,255	398
Winchester	419	..	98	19,858	202	312	367	143,614	367	153,995	419
Worcester	323	..	90	9,002	110	242	328	69,655	328	73,255	323
York	891	..	75	29,553	391	157	250	216,005	250	223,220	891
Sodor and Man	23	..	70	211	3	157	162	3,623	162	3,727	23
Total	10,540	..	£. 424,695	£. 3,004,721	5,230	£. 3,197,225	£. 3,197,225	£. 3,197,225	£. 3,197,225	£. 3,197,225	10,540

The Annual Average for each Person upon the Total Gross Income returned is 312%., and the Annual Average upon the Total Net Income returned is 288%. The Annual Average of the Clergical Stipends is 61%.

The Total Number of Benefices in England and Wales, including those not returned to the Commissioners, but exclusive of those annexed to other Preferments, (24 in number), is 10,718. The Total Gross Income of the Benefices in England and Wales, including those not returned, is £3,251,158*4* ; and the total Net Income of the same is £3,035,451*7*.

If the Amount of the Curates' Stipends, which is included in the Income of the Incumbents, be subtracted therefrom, the Net Income returned will be reduced to 2,579,981*l.* arising as follows:

## SCALE OF INCOMES.—Under £200, and progressing by £10.

DIOCESE.	Total Number of Benefices returned to the Commissioners, exclusive of Sine- cure Rectories and Benefices annexed to other preferments.	100. 200. 300. 400. 500. 600. 700. 800. 900. 1000. 1100. 1200. 1300. 1400. 1500. 1600. 1700. 1800. 1900. 2000.																		
		and under	and under	and under	and under	and under	and under	and under	and under	and under	and under	and under	and under	and under	and under	and under	and under	and under	and under	and under
St. Asaph	131	..	..	..	1	2	1	1	6	9	1	6	4	7	2	1	4	4	2	1
Bangor	123	..	..	..	2	1	3	4	10	11	7	4	3	1	..	4	5	4	2	2
Bath and Wells	428	..	..	..	4	8	7	11	9	12	16	10	12	11	..	17	15	11	24	14
Bristol	252	..	..	..	1	2	4	7	10	5	4	4	6	5	12	8	12	4	6	6
Canterbury	339	..	..	..	2	4	7	4	8	3	17	9	10	11	10	11	10	12	12	3
Carlisle	124	..	..	..	..	4	5	6	8	9	12	3	5	6	2	6	2	6	1	8
Chester	630	..	..	..	2	10	6	8	9	12	47	40	37	33	23	14	15	13	9	7
Chichester	265	..	..	..	17	25	27	28	36	51	35	21	16	5	4	19	13	8	12	4
St. David's	401	1	..	..	..	21	11	1	5	3	7	12	5	5	26	17	12	10	9	4
Durham	192	..	..	..	7	9	36	28	40	31	35	21	16	21	3	3	2	7	2	6
Ely	146	..	..	..	1	6	11	6	5	10	4	8	5	9	3	7	6	5	5	1
Exeter	610	..	..	..	1	2	6	5	6	6	7	3	7	..	..	15	19	16	20	17
Gloucester	283	1	1	1	4	9	9	9	10	13	16	24	20	16	16	19	10	3	3	10
Hereford	318	1	1	..	6	10	9	6	10	12	11	4	13	6	6	10	8	6	13	11
Lichfield and Coventry	609	1	..	4	13	21	28	18	33	45	21	25	19	14	18	22	11	12	8	11
Lincoln	1,249	..	..	4	27	26	43	27	46	36	40	30	40	30	28	43	29	30	27	41
Llandaff	192	1	1	4	8	6	13	7	20	8	10	7	10	7	2	4	7	6	6	9
London	634	1	..	2	1	6	7	5	8	10	6	8	13	4	10	14	19	11	6	14
Norwich	1,021	3	5	2	8	17	24	30	24	17	15	36	23	18	24	26	27	23	19	21
Oxford	196	..	2	1	1	2	8	1	5	9	10	6	3	5	9	5	6	10	5	4
Peterborough	293	1	..	..	1	2	1	5	4	8	9	7	3	5	8	13	3	5	9	8
Rochester	94	..	..	..	..	..	1	..	..	1	..	..	..	2	2	3	2	2	1	4
Salisbury	396	..	..	1	4	9	1	4	7	3	11	4	9	12	9	7	19	11	7	7
Winchester	417	..	2	3	6	8	6	11	8	9	16	7	4	6	13	12	9	9	9	2
Worcester	223	..	1	..	4	5	1	5	9	9	9	7	4	7	5	10	5	5	5	5
York	889	1	1	4	12	31	36	20	32	51	38	27	43	38	35	28	29	20	17	15
Godor and Man	23	..	..	..	1	3	..	1	..	8	2	..	1	1	..	..	..	..	..	..
	10,478	287	287	287	287	287	287	287	287	287	287	287	287	287	287	287	287	287	287	287
		1629	1629	1629	1629	1629	1629	1629	1629	1629	1629	1629	1629	1629	1629	1629	1629	1629	1629	1629
		1854	1854	1854	1854	1854	1854	1854	1854	1854	1854	1854	1854	1854	1854	1854	1854	1854	1854	1854

DIOCESE.	1979										1978										1977										1976										1975										1974										1973										1972										1971										1970																																																																																																																																																																																																																																																																																																																																																																																																																																																																																	
	200L. and under 220L.	220L. and under 240L.	240L. and under 260L.	260L. and under 280L.	280L. and under 300L.	300L. and under 320L.	320L. and under 340L.	340L. and under 360L.	360L. and under 380L.	380L. and under 400L.	400L. and under 420L.	420L. and under 440L.	440L. and under 460L.	460L. and under 480L.	480L. and under 500L.	200L. and under 220L.	220L. and under 240L.	240L. and under 260L.	260L. and under 280L.	280L. and under 300L.	300L. and under 320L.	320L. and under 340L.	340L. and under 360L.	360L. and under 380L.	380L. and under 400L.	400L. and under 420L.	420L. and under 440L.	440L. and under 460L.	460L. and under 480L.	480L. and under 500L.	200L. and under 220L.	220L. and under 240L.	240L. and under 260L.	260L. and under 280L.	280L. and under 300L.	300L. and under 320L.	320L. and under 340L.	340L. and under 360L.	360L. and under 380L.	380L. and under 400L.	400L. and under 420L.	420L. and under 440L.	440L. and under 460L.	460L. and under 480L.	480L. and under 500L.	200L. and under 220L.	220L. and under 240L.	240L. and under 260L.	260L. and under 280L.	280L. and under 300L.	300L. and under 320L.	320L. and under 340L.	340L. and under 360L.	360L. and under 380L.	380L. and under 400L.	400L. and under 420L.	420L. and under 440L.	440L. and under 460L.	460L. and under 480L.	480L. and under 500L.	200L. and under 220L.	220L. and under 240L.	240L. and under 260L.	260L. and under 280L.	280L. and under 300L.	300L. and under 320L.	320L. and under 340L.	340L. and under 360L.	360L. and under 380L.	380L. and under 400L.	400L. and under 420L.	420L. and under 440L.	440L. and under 460L.	460L. and under 480L.	480L. and under 500L.	200L. and under 220L.	220L. and under 240L.	240L. and under 260L.	260L. and under 280L.	280L. and under 300L.	300L. and under 320L.	320L. and under 340L.	340L. and under 360L.	360L. and under 380L.	380L. and under 400L.	400L. and under 420L.	420L. and under 440L.	440L. and under 460L.	460L. and under 480L.	480L. and under 500L.	200L. and under 220L.	220L. and under 240L.	240L. and under 260L.	260L. and under 280L.	280L. and under 300L.	300L. and under 320L.	320L. and under 340L.	340L. and under 360L.	360L. and under 380L.	380L. and under 400L.	400L. and under 420L.	420L. and under 440L.	440L. and under 460L.	460L. and under 480L.	480L. and under 500L.	200L. and under 220L.	220L. and under 240L.	240L. and under 260L.	260L. and under 280L.	280L. and under 300L.	300L. and under 320L.	320L. and under 340L.	340L. and under 360L.	360L. and under 380L.	380L. and under 400L.	400L. and under 420L.	420L. and under 440L.	440L. and under 460L.	460L. and under 480L.	480L. and under 500L.	200L. and under 220L.	220L. and under 240L.	240L. and under 260L.	260L. and under 280L.	280L. and under 300L.	300L. and under 320L.	320L. and under 340L.	340L. and under 360L.	360L. and under 380L.	380L. and under 400L.	400L. and under 420L.	420L. and under 440L.	440L. and under 460L.	460L. and under 480L.	480L. and under 500L.	200L. and under 220L.	220L. and under 240L.	240L. and under 260L.	260L. and under 280L.	280L. and under 300L.	300L. and under 320L.	320L. and under 340L.	340L. and under 360L.	360L. and under 380L.	380L. and under 400L.	400L. and under 420L.	420L. and under 440L.	440L. and under 460L.	460L. and under 480L.	480L. and under 500L.	200L. and under 220L.	220L. and under 240L.	240L. and under 260L.	260L. and under 280L.	280L. and under 300L.	300L. and under 320L.	320L. and under 340L.	340L. and under 360L.	360L. and under 380L.	380L. and under 400L.	400L. and under 420L.	420L. and under 440L.	440L. and under 460L.	460L. and under 480L.	480L. and under 500L.	200L. and under 220L.	220L. and under 240L.	240L. and under 260L.	260L. and under 280L.	280L. and under 300L.	300L. and under 320L.	320L. and under 340L.	340L. and under 360L.	360L. and under 380L.	380L. and under 400L.	400L. and under 420L.	420L. and under 440L.	440L. and under 460L.	460L. and under 480L.	480L. and under 500L.	200L. and under 220L.	220L. and under 240L.	240L. and under 260L.	260L. and under 280L.	280L. and under 300L.	300L. and under 320L.	320L. and under 340L.	340L. and under 360L.	360L. and under 380L.	380L. and under 400L.	400L. and under 420L.	420L. and under 440L.	440L. and under 460L.	460L. and under 480L.	480L. and under 500L.	200L. and under 220L.	220L. and under 240L.	240L. and under 260L.	260L. and under 280L.	280L. and under 300L.	300L. and under 320L.	320L. and under 340L.	340L. and under 360L.	360L. and under 380L.	380L. and under 400L.	400L. and under 420L.	420L. and under 440L.	440L. and under 460L.	460L. and under 480L.	480L. and under 500L.	200L. and under 220L.	220L. and under 240L.	240L. and under 260L.	260L. and under 280L.	280L. and under 300L.	300L. and under 320L.	320L. and under 340L.	340L. and under 360L.	360L. and under 380L.	380L. and under 400L.	400L. and under 420L.	420L. and under 440L.	440L. and under 460L.	460L. and under 480L.	480L. and under 500L.	200L. and under 220L.	220L. and under 240L.	240L. and under 260L.	260L. and under 280L.	280L. and under 300L.	300L. and under 320L.	320L. and under 340L.	340L. and under 360L.	360L. and under 380L.	380L. and under 400L.	400L. and under 420L.	420L. and under 440L.	440L. and under 460L.	460L. and under 480L.	480L. and under 500L.	200L. and under 220L.	220L. and under 240L.	240L. and under 260L.	260L. and under 280L.	280L. and under 300L.	300L. and under 320L.	320L. and under 340L.	340L. and under 360L.	360L. and under 380L.	380L. and under 400L.	400L. and under 420L.	420L. and under 440L.	440L. and under 460L.	460L. and under 480L.	480L. and under 500L.	200L. and under 220L.	220L. and under 240L.	240L. and under 260L.	260L. and under 280L.	280L. and under 300L.	300L. and under 320L.	320L. and under 340L.	340L. and under 360L.	360L. and under 380L.	380L. and under 400L.	400L. and under 420L.	420L. and under 440L.	440L. and under 460L.	460L. and under 480L.	480L. and under 500L.	200L. and under 220L.	220L. and under 240L.	240L. and under 260L.	260L. and under 280L.	280L. and under 300L.	300L. and under 320L.	320L. and under 340L.	340L. and under 360L.	360L. and under 380L.	380L. and under 400L.	400L. and under 420L.	420L. and under 440L.	440L. and under 460L.	460L. and under 480L.	480L. and under 500L.	200L. and under 220L.	220L. and under 240L.	240L. and under 260L.	260L. and under 280L.	280L. and under 300L.	300L. and under 320L.	320L. and under 340L.	340L. and under 360L.	360L. and under 380L.	380L. and under 400L.	400L. and under 420L.	420L. and under 440L.	440L. and under 460L.	460L. and under 480L.	480L. and under 500L.	200L. and under 220L.	220L. and under 240L.	240L. and under 260L.	260L. and under 280L.	280L. and under 300L.	300L. and under 320L.	320L. and under 340L.	340L. and under 360L.	360L. and under 380L.	380L. and under 400L.	400L. and under 420L.	420L. and under 440L.	440L. and under 460L.	460L. and under 480L.	480L. and under 500L.	200L. and under 220L.	220L. and under 240L.	240L. and under 260L.	260L. and under 280L.	280L. and under 300L.	300L. and under 320L.	320L. and under 340L.	340L. and under 360L.	360L. and under 380L.	380L. and under 400L.	400L. and under 420L.	420L. and under 440L.	440L. and under 460L.	460L. and under 480L.	480L. and under 500L.	200L. and under 220L.	220L. and under 240L.	240L. and under 260L.	260L. and under 280L.	280L. and under 300L.	300L. and under 320L.	320L. and under 340L.	340L. and under 360L.	360L. and under 380L.	380L. and under 400L.	400L. and under 420L.	420L. and under 440L.	440L. and under 460L.	460L. and under 480L.	480L. and under 500L.	200L. and under 220L.	220L. and under 240L.	240L. and under 260L.	260L. and under 280L.	280L. and under 300L.	300L. and under 320L.	320L. and under 340L.	340L. and under 360L.	360L. and under 380L.	380L. and under 400L.	400L. and under 420L.	420L. and under 440L.	440L. and under 460L.	460L. and under 480L.	480L. and under 500L.	200L. and under 220L.	220L. and under 240L.	240L. and under 260L.	260L. and under 280L.	280L. and under 300L.	300L. and under 320L.	320L. and under 340L.	340L. and under 360L.	360L. and under 380L.	380L. and under 400L.	400L. and under 420L.	420L. and under 440L.	440L. and under 460L.	460L. and under 480L.	480L. and under 500L.	200L. and under 220L.	220L. and under 240L.	240L. and under 260L.	260L. and under 280L.	280L. and under 300L.	300L. and under 320L.	320L. and under 340L.	340L. and under 360L.	360L. and under 380L.	380L. and under 400L.	400L. and under 420L.	420L. and under 440L.	440L. and under 460L.	460L. and under 480L.	480L. and under 500L.	200L. and under 220L.	220L. and under 240L.	240L. and under 260L.	260L. and under 280L.	280L. and under 300L.	300L. and under 320L.	320L. and under 340L.	340L. and under 360L.	360L. and under 380L.	380L. and under 400L.	400L. and under 420L.	420L. and under 440L.	440L. and under 460L.	460L. and under 480L.	480L. and under 500L.	200L. and under 220L.	220L. and under 240L.	240L. and under 260L.	260L. and under 280L.	280L. and under 300L.	300L. and under 320L.	320L. and under 340L.	340L. and under 360L.	360L. and under 380L.	380L. and under 400L.	400L. and under 420L.	420L. and under 440L.	440L. and under 460L.	460L. and under 480L.	480L. and under 500L.	200L. and under 220L.	220L. and under 240L.	240L. and under 260L.	260L. and under 280L.	280L. and under 300L.	300L. and under 320L.	320L. and under 340L.	340L. and under 360L.	360L. and under 380L.	380L. and under 400L.	400L. and under 420L.	420L. and under 440L.	440L. and under 460L.	460L. and under 480L.	480L. and under 500L.	200L. and under 220L.	220L. and under 240L.	240L. and under 260L.	260L. and under 280L.	280L. and under 300L.	300L. and under 320L.	320L. and under 340L.	340L. and under 360L.	360L. and under 380L.	380L. and under 400L.	400L. and under 420L.	420L. and under 440L.	440L. and under 460L.	460L. and under 480L.	480L. and under 500L.	200L. and under 220L.	220L. and under 240L.	240L. and under 260L.	260L. and under 280L.	280L. and under 300L.	300L. and under 320L.	320L. and under 340L.	340L. and under 360L.	360L. and under 380L.	380L. and under 400L.	400L. and under 420L.	420L. and under 440L.	440L. and under 460L.	460L. and under 480L.	480L. and under 500L.	200L. and under 220L.	220L. and under 240L.	240L. and under 260L.	260L. and under 280L.	280L. and under 300L.	300L. and under 320L.	320L. and under 340L.	340L. and under 360L.	360L. and under 380L.	380L. and under 400L.	400L. and under 420L.	420L. and under 440L.	440L. and under 460L.	460L. and under 480L.	480L. and under 500L.	200L. and under 220L.	220L. and under 240L.	240L. and under 260L.	260L. and under 280L.	280L. and under 300L.	300L. and under 320L.	320L. and under 340L.	340L. and under 360L.	360L. and under 380L.	380L. and under 400L.	400L. and under 420L.	420L. and under 440L.	440L. and under 460L.	460L. and under 480L.	480L. and under 500L.	200L. and under 220L.	220L. and under 240L.	240L. and under 260L.	260L. and under 280L.	280L. and under 300L.	300L. and under 320L.	320L. and under 340L.	340L. and under 360L.	360L. and under 380L.	380L. and under 400L.	400L. and under 420L.	420L. and under 440L.	440L. and under 460L.	460L. and under 480L.	480L. and under 500L.	200L. and under 220L.	220L. and under 240L.	240L. and under 260L.	260L. and under 280L.	280L. and under 300L.	300L. and under 320L.	320L. and under 340L.	340L. and under 360L.	360L. and under 380L.	380L. and under 400L.	400L. and under 420L.	420L. and under 440L.	440L. and under 460L.	460L. and under 480L.	480L. and under 500L.	200L. and under 220L.	220L. and under 240L.	240L. and under 260L.	260L. and under 280L.	280L. and under 300L.	300L. and under 320L.	320L. and under 340L.	340L. and under 360L.	360L. and under 380L.	380L. and under 400L.	400L. and under 420L.	420L. and under 440L.	440L. and under 460L.	460L. and under 480L.	480L. and under 500L.	200L. and under 220L.	220L. and under 240L.	240L. and under 260L.	260L. and under 280L.	280L. and under 300L.	300L. and under 320L.	320L. and under 340L.	340L. and under 360L.	360L. and under 380L.	380L. and under 400L.	400L. and under 420L.	420L. and under 440L.	440L. and under 460L.	460L. and under 480L.	480L. and under 500L.	200L. and under 220L.

**SCALE OF INCOMES.—Under £.1000, and progressing by £.50**

DIOCESE.	£.500 and under £.550	£.550 and under £.600	£.600 and under £.650	£.650 and under £.700	£.700 and under £.750	£.750 and under £.800	£.800 and under £.850	£.850 and under £.900	£.900 and under £.950	£.950 and under £.1000
St. Asaph . . . .	2	3	..	2	4	1	..	..	..	..
Bangor . . . . .	1	3	3	1	..	1	..	2	1	..
Bath and Wells . .	7	7	9	2	4	3	1	2	1	..
Bristol . . . . .	8	3	4	2	4	1	2	1	1	..
Canterbury . . . .	6	9	7	8	3	7	3	2	2	..
Carlisle . . . . .	3	1	..	2	..	..	..	..	..	..
Chester . . . . .	11	4	7	7	4	3	6	2	2	..
Chichester . . . .	6	4	2	4	4	5	..	2	2	..
St. David's . . . .	..	..	..	1	..	..	..	..	..	..
Durham . . . . .	8	5	3	4	..	4	3	..	..	..
Ely . . . . .	1	2	1	3	1	2	1	..	..	..
Exeter . . . . .	17	8	12	9	9	6	2	4	2	..
Gloucester . . . .	11	2	5	6	2	2	2	1	..	..
Hereford . . . . .	7	6	7	6	2	4	5	..	2	..
Lichfield & Coventry	15	13	7	5	6	3	2	1	3	..
Lincoln . . . . .	40	29	24	16	11	10	11	8	6	..
Llandaff . . . . .	..	3	..	1	..	..	..	..	..	..
London . . . . .	25	27	16	19	15	12	2	4	7	..
Norwich . . . . .	54	33	24	14	17	12	9	8	3	..
Oxford . . . . .	2	5	3	..	4	1	2	1	..	..
Peterborough . . .	9	7	5	5	2	4	2	4	2	..
Rochester . . . . .	8	3	6	..	4	3	..	1	2	..
Salisbury . . . . .	15	6	9	8	1	6	5	3	2	..
Winchester . . . .	18	9	12	12	6	5	2	4	4	..
Worcester . . . . .	6	3	8	2	4	4	2	1	2	..
York . . . . .	18	13	13	11	4	8	3	10	4	..
Sodor and Man . .	..	..	..	..	..	..	..	..	..	..
	506		337		218		126		90	
	£.500—£.600		£.600—£.700		£.700—£.800		£.800—£.900		£.900—£.1000	
	954					323				
	£.500 and under £.750.					£.750 and under £.1000.				

DIOCESE.	1000 <i>l.</i> and under 1100 <i>l.</i>	1100 <i>l.</i> and under 1200 <i>l.</i>	1200 <i>l.</i> and under 1300 <i>l.</i>	1300 <i>l.</i> and under 1400 <i>l.</i>	1400 <i>l.</i> and under 1500 <i>l.</i>	1500 <i>l.</i> and under 1600 <i>l.</i>	1600 <i>l.</i> and under 1700 <i>l.</i>	1700 <i>l.</i> and under 1800 <i>l.</i>	1800 <i>l.</i> and under 1900 <i>l.</i>	1900 <i>l.</i> and under 2000 <i>l.</i>	2000 <i>l.</i> and under 2500 <i>l.</i>	2500 <i>l.</i> and under 3000 <i>l.</i>	3000 <i>l.</i> and under 4000 <i>l.</i>	4000 <i>l.</i> and upwards	
St. Asaph	..	..	1	..	..	..	..	..	..	..	..	..	..	..	
Bangor	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Bath and Wells	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Bristol	..	1	..	..	..	..	..	..	..	..	..	..	..	..	
Canterbury	1	..	3	1	..	..	..	1	..	..	1	..	..	..	
Carlisle	..	..	..	..	..	..	..	..	..	2	1	1	1	..	
Chester	6	..	2	2	1	1	..	2	2	..	..	..	..	..	
Chichester	1	..	..	1	..	..	..	..	..	..	..	..	..	..	
St. David's	1	1	..	1	1	1	..	..	1	..	1	..	..	1*	
Durham	..	2	1	1	1	..	..	..	..	..	1	..	..	1†	
Ely	..	3	1	1	1	..	..	1	..	..	1	..	..	..	
Exeter	1	..	1	..	..	..	..	..	..	..	..	..	..	..	
Gloucester	2	1	..	..	..	1	..	..	..	..	..	..	..	..	
Hereford	1	..	2	..	..	..	..	..	..	..	..	..	..	..	
Lichfield & Coventry	4	..	1	..	2	1	..	1	1	..	1	2	..	..	
Lincoln	5	2	3	3	..	1	..	1	1	..	1	..	..	..	
Llandaff	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
London	5	8	4	1	1	3	2	..	2	1	2	..	..	..	
Norwich	3	3	5	..	..	..	1	..	..	..	..	..	1	..	
Oxford	..	..	1	..	..	..	..	..	..	..	..	..	..	..	
Peterborough	2	..	..	..	..	..	..	..	..	..	..	..	..	..	
Rochester	1	1	..	..	..	..	..	..	..	..	..	..	..	..	
Salisbury	1	2	..	1	..	..	..	..	..	..	..	..	..	..	
Winchester	1	6	3	..	..	..	..	..	1	..	1	..	..	..	
Worcester	1	5	2	..	1	..	..	..	..	..	..	..	..	..	
York	6	1	2	1	2	3	1	..	..	..	..	..	..	..	
Sodor and Man	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
	134					32					18				
	£.1000 and under £.1500.					£.1500 and under £.2000.					£.2000 and upwards.				

\* The rectory of Stanhope (in the county of Northumberland, diocese of Durham), of the net annual value of £.4843.

† The rectory of Doddington (in the county of Cambridge, diocese of Ely), of the net annual value of £.7306.

## ARTICLE IX.

*Istoria Rossiyskago Gosudarstwa, soczynenia Karamzina :*  
St. Petersburg.

*History of the Russian Empire, by KARAMZIN.*

THE history of Russia previous to the time of Peter the Great, who first introduced that formidable power into the community of European states, is scarcely known to the generality of our readers. Before the middle of the sixteenth century, the very existence of that country was almost unheard of in England; and when the adventurous mariner, Richard Chancellor, in endeavouring to open a north-eastern passage through the Polar regions, arrived on the coast of Russia in 1553, his discovery was in some respects scarcely less novel than that of Columbus. Since that time a constant intercourse of commerce and diplomacy has been carried on between England and Russia; but the interest felt amongst us for our northern neighbours was, for a long period, almost exclusively confined to merchants who traded with Russia. It is true that embassies were sent from Moscow to England and from England to Moscow, and several books were published on that country at an early period: but although the means of information were increased, it continued to be considered only in a commercial point of view. No one dreamed of its political importance, and the profound scheme for remodelling the political state of Europe, which was concerted by the genius of Henry IV. and of Queen Elizabeth, does not even mention Russia amongst the European powers. This total exclusion from the rest of Europe is chiefly to be ascribed to the long subjection of the people to the domination of Tartars, which rendered the nation essentially Oriental. In the two centuries, during which Russia paid tribute to the Golden-Horde, or the Tartars of Kipchak, she had no transactions with Europe, except certain wars and negotiations with the half savage people of Lithuania, and the rarer intercourse of arms or treaty with the Swedes and the Knights Sword-bearers, who possessed the eastern shores of the Baltic. As the inhabitants of Russia followed the tenets of the Eastern Church, they had no spiritual intercourse with Rome, except

when some few attempts were made by the Popes to unite the Christians of Russia under their ecclesiastical supremacy. Constantinople, which was the spiritual metropolis of Russia, was daily declining, and the learned men of Greece, who spent their time in theological controversy, troubled themselves but little about a country whence they could expect neither power nor riches. These were some of the causes which isolated Russia from the remainder of Europe, although, previous to the invasion of the Tartars, she had had frequent intercourse with many western countries, and was their rival in civilisation. Indeed, the early history of Russia is not only full of romantic interest, but it opens to the philosophical student a vast field for meditation. He will there find republican institutions, chivalrous manners, industry, commerce, wealth, and learning, in a degree far superior to that of many other parts of Europe; yet this prosperous state, which continued flourishing in spite of the civil wars that often desolated the country, was completely annihilated by the invasion of Tartars, who overran Russia in the first part of the thirteenth, and ruled over it till the latter part of the fifteenth century. By a succession of fortunate circumstances, Russia succeeded in freeing itself from the yoke of the Chans; but the consequences of that disastrous period remained, and are still visible, in spite of the progress of civilisation. The domination of the Tartars not only cut off Russia from the rest of Europe, and strongly impregnated it with Oriental manners and customs, but the liberties of the nation were destroyed, a most abject slavery was established, and the moral character of the inhabitants was lowered. The circumstance which renders the early history of the Russians most particularly interesting is their constant and irresistible tendency to invade Constantinople, and to gain a settlement in the rich provinces of the Greek empire. From the ninth to the eleventh century they unceasingly pressed on Byzantium, and it is highly probable that the imperial city would have fallen a prey to them, had not their power been enfeebled by domestic wars, and afterwards destroyed by the savage hordes of Gengischan and his successors.

The sources of the early history of Russia are abundant. Nestor, a monk of Kioff, who lived in the eleventh century, is



the first annalist of that country. His chronicle, written in the Slavonian tongue\*, displays considerable erudition and great industry in collecting facts. He was acquainted with the Byzantine authors; he had read the registers of different churches, and conversed with many eminent persons, who gave him information concerning the important events in which they themselves had taken a part. His annals were continued by many successive writers, who relate in the most artless manner the events which took place during their life time. Besides these national authors, many valuable materials for that part of the history of Russia are furnished by their contemporaries of Germany, Scandinavia, Greece, and even by some of the Arabians. In modern times, the learned labours of Müller, Schlötzer, Schmidt-Phiseldeck, and many other savans, have thrown considerable light on its annals. The most celebrated work on the subject is, however, the book, which, notwithstanding its want of novelty, we have placed at the head of these pages. It is written with talent and elegance; but the most valuable part of it, perhaps, consists in the notes by which it is accompanied. They contain copious extracts from all the printed or manuscript works which the author had consulted, and afford most abundant materials for the construction of a new and more perfect historical account of the nation. Death prevented Karamzin from completing his history, which he only brought down to the extinction of the dynasty of Rooreek, at the beginning of the seventeenth century. After Karamzin's death, three volumes were published by Stroyeff from the manuscripts he had left, but we are unable to say whether this important work will be continued, and by whom it will be undertaken.

It is well known that the Russians are a branch of the numerous Slavonian race, which, divided into many nations, speaking different dialects of the same original tongue, con-

---

\* The Slavonian tongue, which is the mother of all the dialects spoken by the different nations of Slavonian descent, as Poles, Russians, Bohemians, &c., is no longer a living language. It is preserved in the holy scriptures, translated from the Septuagint by St. Cyril and St. Methodius in the ninth century, and is still used in the performance of divine service by all the Slavonian nations, who conform to the Oriental rite. Amongst living languages, that which is spoken by the highlanders of Montenegro is considered to be nearest to the original tongue.

stitutes a population of seventy millions of individuals, inhabiting the dominions of Russia, Prussia, Austria, and Turkey. It would be foreign to our immediate object to enter into a disquisition on the probable migrations and various fortunes of that race which has occupied an immense tract of land in the eastern parts of Europe since the first centuries of our æra; and we shall begin our sketch of its early history with the formation of the Normanno-Sclavonian empire of Russia, as it is described by Nestor, whom we have already mentioned as the first annalist of that country.

Amongst the Sclavonian communities which existed about the eighth century in the north-east of Europe, that of Great Novgorod, which was governed by popular forms, was the most celebrated. But at the beginning of the ninth century that state was conquered by the Varagians or Northmen of Scandinavia, who likewise subdued other adjacent Sclavonian populations, as well as the Finnish tribes which inhabited the shores of the Baltic. After some years of subjection, these people rose against their foreign conquerors, and drove them from their country. But the anarchy which followed the expulsion of the Northmen, whose rule was exceedingly mild, induced the same Sclavonians and Fins to send an embassy beyond the sea (the Baltic), to offer the sovereignty of their country to a Scandinavian dynasty. In consequence of that invitation, three brothers called Rooreek, Sineus, and Truvor, men of high birth and great military renown, arrived in 862, to take possession of the proffered territory. They were accompanied by a great number of their valiant countrymen, and established their residences in three different parts of their new dominions. Two years afterwards Sineus and Truvor died, leaving Rooreek the sole monarch of the newly founded empire, whose extent he augmented by subduing many adjacent districts, which he always entrusted to the government of his own countrymen. Such was the foundation of the empire of Russia, whose name is derived from the appellation of the Russo-Varagians\*, by which the Sclavonians designated those Scandinavian adventurers.

---

\* There is much difference of opinion about the origin of the name of Russians, which seems to have been unknown amongst the Sclavonians previous to the arrival of Rooreek. All these opinions, however, rest on more or less

Under the reign of Rooreek, two Varagian chieftains, called Ascold and Dir, dissatisfied with their sovereign, or animated by that spirit of adventure which was so common amongst their countrymen, left the dominions of Rooreek and proceeded to the south. Following the course of the Dnieper, they arrived at Kioff, a small Sclavonian town tributary to the powerful nation of the Khasars, whose capital was situated at the mouth of the Volga. Ascold and Dir seized that place, and having increased their forces by the successive arrivals of other Varagians, they founded an independent sovereignty on the banks of the Dnieper. Some time afterwards they undertook a predatory expedition to the Black Sea. Having descended the Dnieper with two hundred vessels, and ravaged the coasts of the Greek empire, they besieged the port of Constantinople. Their fleet however was dispersed by a violent storm, ascribed by the Greeks to the miraculous interposition of the Holy Virgin's garment, preserved in the church of the Blachernae, and which on that occasion was dipped into the sea by the celebrated patriarch Photius.

Rooreek died in 879, leaving an infant son Igor; and the regency was entrusted to one of his relatives, named Oleg.

Oleg was animated with the true Norman spirit of conquest. Having assembled a large body of Scandinavians, who constantly flocked to join their countrymen in Russia, he likewise raised a numerous army from the Sclavonian and Finnish populations subject to his sceptre. With these forces he advanced in 882 towards the South, and easily subdued all the countries which lie between Novgorod and Kioff. After having treacherously murdered Ascold and Dir, the reigning princes

---

doubtful conjecture, but the fact of the Varago-Russians being Scandinavians is established almost beyond doubt by the following circumstances: *First*, Among the Russian leaders mentioned in the treaty between Oleg and the Greek Emperor, there are many Scandinavian names, as Olaf, Ingwar, Carl, &c. &c. *Second*, The Emperor Constantin Porphyrogeneta, describing, in his work "*De Administrando Imperio*," the cataracts of the Dnieper, gives the names of the principal of them in Greek, Sclavonian, and Russian. The Sclavonian names are the same, which the above-mentioned cataracts have borne till the present time; but the Russian names are found to be Icelandic or old Scandinavian words, and their meaning entirely coincides with the Sclavonian and Greek appellations of the same cataracts.

of Kioff, he declared that city the capital of his dominions. He continued to extend and to consolidate his conquests till the year 906, when he undertook an expedition against Constantinople.

Oleg assembled a numerous army, composed not only of Varagians, but of most of the various peoples of his vast dominions. Nestor enumerates the various Slavonian and Finnish tribes, spread from the Baltic to the Dniester, who flocked in crowds to the standard of Oleg, attracted by the prospect of rich booty. The invading host embarked on the Dnieper in two thousand vessels, each of which conveyed forty warriors. The fleet proceeded along the western shores of the Euxine, whilst a numerous cavalry marched along the coast. It is probable that the Bulgarians (a Slavonian people, inhabiting the banks of the Danube) gave free passage to Oleg's cavalry, and that the supine administration of Leon the philosopher, who then occupied the throne of Constantinople, was unable to oppose the advance of the invaders. The Greeks closed the entrance of the port by a chain, and abandoned the environs of the capital to the mercy of their savage enemy, who destroyed every thing with fire and sword. Unable to force the chain, which prevented his fleet from entering the harbour of Constantinople, Oleg ordered his soldiers to draw their light barks on shore and transport them over land to launch them into the port. This expedient, which was afterwards successfully employed by Mahomet II. in his capture of Constantinople, so terrified the Greeks that they proposed peace to Oleg. A treaty was concluded, and the annalist Nestor, who has transmitted to us an account of that memorable expedition, gives the details of that curious document. It was stipulated that the Greeks should pay not only a certain sum of money to every man belonging to the expedition, but also large contributions, destined for almost every town of Russia, governed by princes dependent on Oleg. "War was then a national industry," exclaims Karamzin; we may add it is equally so with modern Russia, and that the treaty of Oleg with Leon, has many points of resemblance with the treaty of Adrianople, between Nicholas and the Sultan. The only difference is, that the modern Russians, not content with extorting tributes like their ancestors, unite a

boundless ambition of territory to as ardent a thirst for gold.

Another important stipulation of the same treaty was, that all the subjects of Oleg, trading to Constantinople, should be maintained at the expense of the Emperor, during six months of their residence in that city—a condition, which betrays the barbarous ignorance and the overbearing policy of the conqueror who proposed it.

Oleg returned to Kioff, and died in 912, universally regretted by his subjects, with whom he had earned the popularity of a valiant prince and a successful leader. After Oleg's death, his pupil Igor, son of Rooreek, assumed the reins of government. He was long engaged in wars with the Pechenegues, a nomadic people, frequently mentioned by the Byzantine historians under the name of Patzinaces, who appeared for the first time on the confines of the Black Sea during his reign. He lived for many years at peace with the Greeks, and his subjects frequently went to serve in the armies of the emperors. In 941, he resolved, however, in spite of his old age, to make an expedition against Constantinople. He assembled a large fleet (Nestor says ten thousand vessels), and having landed his troops on the coasts of the Bosphorus, began to ravage the adjacent country. The imperial troops attacked his fleet, and destroyed a great part of it by means of the Greek fire. Igor retired with his bands into Minor Asia, where he pillaged the flourishing regions of Bithynia; but he was soon attacked by the veteran troops of the empire, commanded by a celebrated general, who completely routed the Russians, and compelled them to fly with their remaining vessels.

Igor, however, not discouraged by the great losses he had sustained in that unsuccessful expedition, recruited his army with new adventurers from Scandinavia, and hired an auxiliary force of the Pechenegues. Having completed his preparations, he advanced in 943-44 against the Byzantine empire, with a numerous fleet and a large body of cavalry. These forces must have been exceedingly formidable; for the Emperor Romanus, as soon as he was apprized of Igor's approach, sent ambassadors, who met the invading army at the mouth of the Danube. The Greeks purchased the retreat of Igor with rich donatives, and the emperor sent an ambassador to Kioff

in 945, who concluded a treaty of alliance and commerce between the Greeks and Russians. Igor was killed by the Drewlanes, a Scлавonian tributary nation, who revolted against his oppressive exactions; and his widow Olga assumed the regency during the minority of his son, Sviatoslaf. Olga cruelly avenged the death of her husband, but she displayed great abilities during her administration. The professors of the Christian religion were already very numerous in the south of Russia; although the sovereign himself, and the principal of his nobles, still adhered to the idolatry of their ancestors. The Queen Olga, however, being already advanced in years, listened to the exhortations of certain pious missionaries, and became a convert to the doctrines of the gospel. She embarked in 955 with a great retinue for Constantinople, where she was received with extraordinary honours. She was instructed in the tenets of the Christian religion, and was baptized by the patriarch himself. The particulars of this memorable transaction are reported by the Emperor Constantine Porphyrogeneta, who was himself sponsor to the royal convert. Olga returned to Kioff, but she tried in vain to persuade her son to follow her example. Sviatoslaf avowed his contempt for the disciples of a religion, which did not consider bravery as the first and only virtue. He was, however, very tolerant, or rather indifferent to the christians, and always treated his mother with great respect. But his ruling passion was conquest; and he is described as having been eminently fitted for the profession of a savage warrior. On attaining his majority, Sviatoslaf attacked the countries situated on the south-eastern borders of his dominions. He had already extended his conquests as far as the ridge of the Caucasian mountains and the Cimmerian Bosphorus, or sea of Azof, when a favourable opportunity was presented to him of reaping glory and booty on the banks of the Danube.

The Emperor Nicephorus Phocas, having quarrelled with Peter, king of Bulgaria, whose dominions were situated on the banks of the Danube, sent an embassy to Sviatoslaf inviting him to attack that province. Sviatoslaf gladly listened to the proposal, and having received a large subsidy for his expedition from the Greeks, he embarked with an army of sixty

thousand men, and suddenly appeared on the banks of the Danube. The Bulgarians vainly resisted the invaders, who speedily conquered all their country. The king of Bulgaria died of a broken heart, and Sviatoslaf having taken possession of his kingdom, demanded rich presents of the Emperor as a reward of his services. But whilst he was revelling amidst the luxuries of the metropolis of Bulgaria, his own capital Kioff, where his aged mother and his family had remained, was on the point of being taken by the Pechenegues.

Sviatoslaf on hearing of the dangers of his capital and family, hastened to their rescue. But the residence of Kioff appeared to him insipid, after the luxuries he had tasted in Bulgaria, and he longed to be once more on the banks of the Danube. He assembled his nobles, and declared, in the presence of his mother, that he preferred the residence of Pereyaslavetz to Kioff; "because," he said, "the capital of Bulgaria was the centre of the riches of nature and art; that the Greeks brought there gold, and silks, and fruits, and wines; the Hungarians and Bohemians, silver and horses; and the Russians, furs, wax, honey, and slaves." This declaration was nothing more than a frank avowal of the desire which constantly animates the inhabitants of a poor northern country to invade the fertile lands of the south; and the reason which prompted Sviatoslaf to transfer his residence from the forests of the Dnieper to the rich banks of the Danube, will always make an invasion of Turkey popular in Russia. "*Eadem semper causa Germanis transcendendi in Gallias—libido atque avaritia, et mutandæ sedis amor, ut relictis paludibus et solitudinibus suis, fecundissimum hoc solum vosque ipsos possiderent.*"

Sviatoslaf divided the government of his dominions between his three sons, and again embarked (970) for Bulgaria, which he seems to have already considered as his property. The Bulgarians were, however, of a different opinion, and offered a desperate resistance to their unwelcome guests. Nevertheless they were soon conquered, and Sviatoslaf established himself in his favourite residence, leaving the empty title of royalty to Boris, the legitimate monarch of the country. The Greeks soon perceived the fault they had com-

mitted, in attracting to the banks of the Danube the Russians, who were much more dangerous neighbours than the Bulgarians, against whom they were called in. The warlike John Zimisce occupied at that time the imperial throne. He summoned Sviatoslaf to fulfil the stipulations of the treaty he had concluded with the Emperor Nicephorus, and consequently to evacuate Bulgaria. Sviatoslaf haughtily replied, that instead of evacuating Bulgaria, he should soon attack Constantinople, and drive the Greeks into Asia. The same year, having increased his army with levies from Bulgaria, as well as by a great number of Hungarians and Pechenegues, he entered Thrace, and laid waste all the country as far as Adrianople, where Bardas Sclerus, general of the empire, shut himself up, being unable to resist the invaders in the open field. After this expedition Sviatoslaf returned to Bulgaria, but in the following year the Emperor himself marched at the head of a numerous army into that province, and sent a considerable fleet to occupy the mouth of the Danube. Our limits forbid us to enter into the details of a war, which has been minutely described by the Byzantines, and particularly by Leon Diaconus, who accompanied the Emperor on that expedition\*. The Greeks were successful in that campaign. The Russians, being expelled from the capital of Bulgaria, concentrated their forces at Dorostol, the present Silistria, where they offered a desperate resistance. At last a treaty was concluded, in virtue of which the Russians evacuated their conquests and returned to their own country.

Sviatoslaf was killed in 973 by the Pechenegues, who intercepted his march at the cataracts of the Dnieper. The skull

---

\* Leon Diaconus gives a curious description of the interview which took place between John Zimisce and Sviatoslaf on the banks of the Danube, after the conclusion of peace. The Emperor arrived on horseback, clad in a splendid suit of armour, and surrounded by his guards, but Sviatoslaf came over in a boat, which he himself assisted in rowing, dressed in a simple white garment. He is described as having been of a middle stature, but well built. The expression of his countenance was dark and ferocious. His personal appearance, and his costume, remind us of the savage chiefs of the other hemisphere. On his shaven head he wore a cue of hair, which was a mark of noble birth, and in one of his ears he had a golden ring, adorned with two pearls and a ruby. The Emperor dismounted from his horse, and had a long conversation with Sviatoslaf, who remained all the time sitting in his boat.



of this warlike sovereign was, according to the general custom of barbarians, converted by his enemies into a drinking cup, which they used in celebrating their triumph. We have said that, on his departure, he divided his hereditary dominions between his three sons. As soon as Sviatoslaf's death became known, Yaropolk, his eldest son, who governed Kioff, attacked his brother Oleg, on whom the south-western part of his father's dominions had devolved. Oleg was killed in battle, and Yaropolk, having united the territory of his brother with his own, prepared to attack his youngest brother Vladimir, who ruled Novgorod and the northern part of the empire. Vladimir fled beyond the Baltic, and spent two years in the predatory expeditions of the Northmen; after which he returned to his own country, accompanied by a large body of the adventurers whose fortunes he had shared. He assembled many partisans, defeated Yaropolk, and caused him to be murdered after he had surrendered himself as a prisoner to his younger brother. The reign of Vladimir is celebrated for his numerous exploits, but it is particularly remarkable for the establishment of the Christian religion in Russia. The manner in which this great moral revolution was wrought, is so different from that in which the truths of the gospel have been introduced into other countries, that we shall furnish our readers with some particulars of the transaction.

We have already mentioned that Christianity had been promulgated in Russia by the constant intercourse with Greece; and that Olga, the grandmother of Vladimir, was baptised at Constantinople. Yet, although there were many Christians amongst the Varagians and Sclavonians, and although they seem to have enjoyed perfect religious freedom, the great bulk of the nation, as well as their rulers, adhered to their ancient idolatry; and Vladimir is described as a zealous observer of its superstitious rites. In order to express his gratitude to his gods for the many victories he had obtained, he ordered a human sacrifice to the idols. The victim was to be chosen amongst the young men and girls of Kioff, and the lot fell on the son of a Christian Varagian. The father and the son resisted this inhuman sacrifice, but they were both murdered by the infuriated populace, whom they strove in vain to persuade of their error. This is the only instance of religious

martyrdom recorded in the annals of that time; and it is certain that the savage Northmen who then ruled over the Sclavonian populations of Russia, were indifferent as to the religious tenets of their subjects.

The power of Vladimir, and his renown, which was spread abroad by his successful wars, was a strong inducement to his neighbours for endeavouring to attract him into the communion of their faith. According to Nestor, the Mahometans, who inhabited the banks of the Volga, were the first who sent an embassy to persuade the sovereign of Russia to embrace their religion. The glowing description of the Moslem's paradise, filled with beautiful houries, captivated the imagination of Vladimir, who was notorious for the licentiousness of his morals; but he was shocked at the idea of circumcision, and the prohibition of wine decided him against Islamism. "Wine is the joy of a Russian, and we cannot do without it," was Vladimir's reply to the Mahometan doctors.

The Jews, who lived amongst the Khazars, also sent deputies to convert Vladimir to the law of the old covenant. He asked them, where was their country? "At Jerusalem and "Palestine," answered they; "but God, in his wrath, dispersed us over all the surface of the earth."—"If you are "cursed by God, how can you instruct others?" was the reply of the Russians. "Go! we wish not to remain, like you, without a country." The Roman Catholics from Germany likewise sent their missionaries, but their exhortations proved unsuccessful. The strongest impression on Vladimir's mind, was produced by a Greek deputy, or, as Nestor calls him, a philosopher, sent by the emperor from Constantinople.

After the departure of the missionaries of the different religions, Vladimir assembled his boyars, or nobles, and expounded to them the propositions of all the missionaries. The answer which he received from his council is remarkable for the plain good sense by which it was dictated; "Prince," said they, "every man praises his own religion, and if you wish "to choose the best, send some wise men to different countries, "that they themselves may judge which nation worships "God in the most becoming manner." Vladimir followed this advice, and having chosen ten persons considered the wisest of his council, he sent them on the proposed errand. These

ambassadors visited the Mahometans on the banks of the Volga, but were dissatisfied with the miserable appearance of the unadorned mosques, mournful prayers, and melancholy countenances of the Moolahs. The religious ceremonies of the Roman Catholics in Germany, appeared to them, according to the words of the chronicle, without magnificence and grandeur. At last they arrived at Constantinople. The emperor, being well aware that a barbarian's mind is much more affected by the display of external magnificence than by the strength of argument, gave orders to conduct the Russian delegates to the church of Saint Sophia, where the patriarch was performing divine service. The magnificence of the temple, the great number of the clergy attired in their richest garments, the perfume of the frankincense, and the silent adoration of the multitude united in filling the Russians with profound admiration; and on their return home they extolled the excellence of the Christian religion and of its worship, as it was performed by the Eastern Church. The report which they made to Vladimir of their mission was concluded by the following words: "Whoever has once tasted a sweet liquor will have an aversion to all that is bitter; therefore, now that we have become acquainted with the Greek religion, we wish for no other." Vladimir was still undecided, and required the advice of his boyars, who answered: "If the Greek religion was not the best, your grandmother, Olga, who was the wisest of mortals, would never have embraced it." Vladimir resolved, therefore, to become a Christian.

The circumstances preceding the conversion of Vladimir, are reported by the annalist Nestor, and confirmed by an old Greek manuscript in the royal library at Paris. We have given these details because they materially differ from those which have generally attended the conversion of Pagan nations and princes to the Christian religion. Almost everywhere else the introduction of the gospel was either the result of the long and persevering efforts of Christian missionaries; or the effect of military conquest. But the change of the established creed of a country by the mature deliberation of a monarch and his council, who felt the necessity of abandoning the existing religion and substituting something better in its place, stands, we believe, almost unrivalled in the history of the world, and

can only be compared to the manner in which the Protestant doctrines were introduced into some parts of Germany and Switzerland.

It is, however, highly probable that the preference given to the Greek persuasion by the advisers of Vladimir was caused not only by the glowing description of its glories, given by the Russian delegates, but also by the daily increasing number of proselytes amongst his subjects. The conversion of Olga, and the constant intercourse with Constantinople, were rapidly spreading the truths of the Christian religion in Russia; and even without the resolution adopted by Vladimir, the Eastern Church would have sooner or later established its dominion over that country.

The manner in which Vladimir carried into execution his design of becoming a Christian strongly savours of that romantic age, and of the adventurous spirit of the Northmen. Instead of sending for Christian ministers, of whom there were many even in his own capital, or demanding missionaries from Constantinople, he entered the frontiers of the Greek empire with a numerous army, besieged the important town of Cherson situated in the Crimea, and having stopped its supply of water, compelled that hitherto impregnable city to surrender.

The Greek empire was at that time in a very distracted state. The throne occupied by the Emperors Constantine and Basil was threatened with an overthrow by a dangerous rebellion. Under these circumstances the news of the fall of Cherson arrived at Constantinople, accompanied by a haughty message from Vladimir demanding the hand of the princess Anna, sister of the Emperors, and menacing in case of refusal to attack the capital of the empire. The difficulties in which the monarchs of the East were involved made them listen to the propositions of an idolatrous prince, and they consented to give him their sister, provided he would become a Christian and their ally. The young princess was under the necessity of making her natural repugnance to marrying a barbarian yield to motives of policy, coloured by the pretext of zeal for religion. Vladimir married the Greek princess, and was baptised by the Archbishop of Cherson (988). After this he

not only restored the town to the Greeks, but even sent a party of his troops to assist the Emperors in quelling the rebellion which agitated their dominions. The circumstance of Vladimir's marriage with the Greek princess is mentioned not only by Nestor, but also by the Byzantine and German authors. It is moreover described by the celebrated Arabian historian Elmacin, who attributes the conversion of Vladimir to his ambition of becoming allied with the Cæsars.

After his return to Kioff, Vladimir issued orders for the destruction of the idols, and commanded his subjects to become Christians. All the inhabitants of Kioff, old and young, were baptized at once, by entering into the waters of the Dnieper, while the priests read the formulary usual on such occasions. The inhabitants of the country followed the example of the sovereign and the grandees. Many however remained faithful to the idolatry of their ancestors, and there were traces of paganism existing in Russia as late as the twelfth century.

The conversion of Vladimir wrought a great change in his moral character. He became, from religious motives, exceedingly pacific to his neighbours and lenient to his subjects, so that the bishops were obliged to remonstrate against an ill-judged meekness which left crime unpunished and aggression unavenged. The remonstrances of the bishops produced the desired effect. He repressed crime by severe punishment, and repelled aggression by successful wars. He likewise applied himself to make various improvements in his dominions. He built churches and monasteries, established schools, and founded new cities in the southern parts of his dominions, which he peopled with settlers from the North.

Vladimir died in 1015. The church of Russia places him on a par with the apostles. Whatever may have been his motives for conversion, it is impossible to doubt that he finally became a sincere Christian, if we consider, that being naturally of a cruel, dissolute, and revengeful character, passionately fond of war, and having been guilty of the murder of his own brother, he afterwards hesitated to spill the blood of criminals and of the enemies of his country. The reign of this monarch is recorded by Byzantine, Scandinavian,

German and Arabian writers, and his memory lives in many popular legends, tales, and ballads, which describe the splendour of his feasts and the achievements of his knights.

Some years before his death, he divided the government of his dominions between his sons and his nephew Sviatopolk, whom he had adopted\*. Yaroslaf, who governed Novgorod, declared himself independent of his father. Vladimir was prevented by death from punishing the unnatural rebellion of his son. He died without naming a successor, but his nephew and adopted son Sviatopolk, who happened then to be at Kioff, seized the reins of the government, and having murdered three of his cousins, took possession of their inheritance. He was in his turn attacked by

---

\* Long before his death and even before his conversion to the Christian religion, Vladimir bestowed the principality of Polotzk on his eldest son Iziaslaf. The origin of this grant, as related by the chronicles, is exceedingly romantic. They say that when Vladimir returned from Scandinavia, and prepared himself to attack his brother Yarapolk, he demanded the hand of Rogneda, daughter of Rogvold a Varagian prince, who reigned at Polotzk. Rogneda, who was betrothed to Yarapolk, then sovereign of Russia, rejected with disdain the offers of a younger brother, whose fortunes were at that time very doubtful. Vladimir attacked Rogvold, killed him as well as his two sons, and compelled the proud beauty to marry him. Some time afterwards, having formed a new attachment, Vladimir exiled this unfortunate princess to a solitary place on the banks of the Dnieper. Rogneda, who was surnamed, for her misfortunes, *Gorislava* (*i. e.* *Glory of Sorrow*), had pardoned her husband for the death of her father and of her brothers, but could not pardon his infidelity. One day, when Vladimir, having arrived at her place of residence, fell asleep, she tried to stab him with a poniard, but he awoke before she could accomplish the intended crime. Rogneda burst in tears, and after having reproached him for the cruel death of her father and brother, bitterly complained of his neglect of herself and her young son Iziaslaf. Vladimir, incensed at Rogneda's attempt on his life, resolved to put her to death, and ordered that she should await the fatal moment in the most splendid of her rooms, sitting on a sumptuous couch, and attired in her best dress. When he arrived to put his cruel design into execution, he was met by his infant son Iziaslaf, who, presenting him with a naked sword, said, "Thou art not alone here, my father, thy son will be witness of thy action." Vladimir was so struck by this unexpected appeal to his paternal feelings, that he threw his weapon on the ground and withdrew. He assembled his council, and submitted the case to its decision. "Prince," said his nobles, "pardon the guilty for the sake of that child, and give them the dominions of Rogvold." Vladimir followed this advice, and gave to Iziaslaf the heritage of his grandfather. The descendants of that prince reigned during a long period at Polotzk; but in 1129 this independent principality was destroyed by a coalition of several princes of Russia; and its last sovereign died in exile in Greece.

Yaroslaf, prince of Novgorod, and driven from the usurped throne. Sviatopolk sought refuge and assistance at the court of Boleslaf the Brave, king of Poland, who restored him to the possession of Kioff. The services of Boleslaf were repaid by a treacherous massacre of his Poles, and he was obliged to leave Kioff; but Sviatopolk, being again attacked by Yaroslaf, was defeated, fled the country, and died in Bohemia.

The reign of Yaroslaf is remarkable in many respects, but particularly by his code of laws, and his relations with foreign and distant countries. After having inherited from his brother, Mstislaf, the southern part of their father's dominions, Yaroslaf applied himself to promote every kind of improvement in his country. He was a great patron of the clergy, caused many sacred works to be translated from the Greek into the Sclavonian, read them diligently, and was very eminent for his piety. These religious dispositions, however, did not prevent him from attacking the Greek empire; and the pious Christian who reigned in Russia, was no less disposed than his Pagan ancestors to avail himself of a favourable opportunity or pretext for seizing on the rich spoils of Greece.

After the conversion of Vladimir, a long and sincere friendship seems to have united the Greeks and Russians. It was strengthened by the ties of relationship between the imperial house and the reigning dynasty of Russia, as well as by the conformity of a religion common to both nations. The assistance of Russian troops proved, on many occasions, very advantageous to the emperors, and they followed the banners of the Cæsars, either as auxiliaries or as mercenaries, to the environs of ancient Babylon. The Byzantine writers report, that some years after the death of Vladimir, a relation of that monarch entered the harbour of Constantinople, with a few vessels, declaring that he came to enlist in the Imperial service, but soon afterwards he secretly left that town, attacked the Greeks on the coast of the Propontis, and seized the isle of Lemnos. He was, however, overpowered by the governors of Samos and Thessalonica, and massacred with his eight hundred followers. Notwithstanding this event, the peace which existed between the two nations was not

disturbed, and the Russian merchants continued to trade at Constantinople. It happened that a quarrel took place between these merchants and the Greeks, and a Russian of note was killed in the affray. It is impossible to ascertain the precise nature of the quarrel, which, according to the Russian chronicle, was commenced by the Greeks. All that we know is, that Yaroslaf demanded a reparation of what he termed an insult, and having failed in obtaining it, he resolved to attack the empire. He accordingly sent an expedition against Constantinople, under the command of his son, Vladimir, and Veechata, one of his most experienced captains. The Greeks remembered the calamities which the Russian fleets had caused them on former occasions, and the Emperor Constantine Monomachus sent an embassy to meet the young Vladimir. He expressed in his letter, that the friendship which had hitherto united both nations should not be disturbed by so trifling a cause; and that, sincerely wishing for the continuance of the peace, he pledged his imperial word to punish the authors of the injuries of which the Russians had to complain. But the Russian prince, glad to have a pretext for attacking Constantinople, dismissed the imperial ambassadors with an insulting answer, and continued to advance. Constantine Monomachus having received so unsatisfactory a reply to his pacific message, ordered the Russian soldiers who served in his army, as well as the merchants of that nation trading in different parts of the empire, to be arrested and imprisoned, and he himself embarked in the imperial galley, to encounter the invaders at the head of his fleet. Near Pharos, he found the enemy's ships ranged in order of battle. The emperor made once more a proposition of peace, but Vladimir haughtily answered that he would grant it only on condition that the Greeks should pay three pounds of gold to each Russian soldier. Constantine having received this audacious answer, ordered three of his vessels to enter into the midst of the Russian fleet, and to destroy it by means of the Greek fire. The attempt was successful; and the flames rapidly spread over the ships of the Russians, who, in order to escape the conflagration, weighed anchor, and fled into the open sea; but a storm, which happened to come on at the same time, proved fatal to their



light barks, and the greatest part of them either foundered or were wrecked upon the shore. The Russians who survived this calamity assembled to the number of six thousand, and endeavoured to regain their country by marching along the coast, but they were overtaken near Varna by the legions which the Emperor sent in pursuit of them. They valiantly defended themselves, but overwhelmed by numbers they were mostly killed, and about eight hundred of them, with their leader, Veechata, were taken prisoners, loaded with chains, and conducted to Constantinople, where they were deprived of sight. Prince Vladimir escaped with a few of his followers; but the unsuccessful expedition was not renewed, and three years afterwards peace was concluded.

This was the last war which the ancient Russians made against the Greeks, and since that epoch Constantinople has not seen their formidable navies floating within the Bosphorus. Russia, torn by civil wars, soon lost its power, or the world would have probably witnessed the accomplishment of the prophecy, written in the tenth or eleventh century, by some unknown hand, under the statue of Bellerophon erected on the Tauric place at Constantinople, which foretold that the Russians should one day take possession of Constantinople\*. It would seem, however, that a delay of eight centuries has not weakened the power, or changed the policy, which inspired that remote prediction; and such are the mighty strides which Russia is every day making in the East, and the guilty supineness of the European powers, that it appears by no means improbable that we may witness in our days the fulfilment of the legendary doom of that beautiful metropolis of the old world.

We have already observed, that the reign of Yaroslaf was remarkable for the many relations which Russia had at that time with the other countries of Europe. The chronicles mention three daughters of this monarch who were married to foreign princes. Elizabeth, the eldest, espoused the celebrated Harold Hardrada, one of the most romantic characters of Scandinavian history. This chivalrous prince visited in his youth the court of Yaroslaf, and fell in love with his beautiful daughter. From Russia, Harold went to Constantinople,

---

\* See GIBBON'S *Decline and Fall of the Roman Empire*, chapter LV.

where, having entered the Imperial service, he was made commander of the Varangian guards, and distinguished himself on the coasts of Africa, in Sicily, and in many other parts, against the Saracens. He afterwards performed a pilgrimage to Jerusalem, and returned covered with glory and loaded with riches to Russia, where he married Elizabeth. Harold was not only a warrior, but also a poet, and he left a celebrated song, in which he enumerates the exploits he had achieved in order to gain the heart of the Russian beauty, and complains of her rigours\*. Harold returned with Elizabeth to Norway, and ascended the throne of that country. After a reign of many years, chiefly spent in different wars, he engaged in an expedition against England, in order to assist Tosti against his brother Harold, the last Saxon king of this country. Elizabeth accompanied her husband from Norway, but awaited the issue of the expedition in one of the Orkneys. It is well known that Tosti was defeated by the King of England, and his ally, Harold Hardrada, killed in battle†. Another of Yaroslaf's daughters, Anne, was married to Henry I., King of France, who, afraid of wedding a princess that might prove to be a relation of his, sought a queen in the remote regions of Russia; the third daughter became the queen of Andrew I., King of Hungary. The sons of Yaroslaf were married to Greek and German princesses, and his grandson, Vladimir (surnamed Monomachus, after his natural grandfather, the Emperor Constantine Monomachus), was married to Gyda, daughter of Harold, the last Saxon King of England.‡. This event is not the first instance of the relations which existed at that time between England and Russia, for there is sufficient historical evidence to prove that the English princes Edwin and Edward, sons of Edmund Ironside, who, according to the English chronicles, were sent to Hungary,

---

\* Vide MALLET, *Introduction à l'Histoire de Danemarck*. The song of Harold has been elegantly translated into English, and set to music by one of our best composers; and the constancy of Harold has furnished Ohelenschläger, the Danish poet, with the subject of one of his best tragedies, *Die Wäringers in Constantinopel*.

† Vide SNORRO STURLESON, *Hist. Reg. Norveg.*, Vol. III.; LINGARD's *History of England*, Vol. I.

‡ Vide TORFÆUS, *Hist. Norv.*

remained during their exile, at least for some time, in Russia\*. Yaroslaf died 1054, in the 70th year of his age; and he destroyed all the fruits of a long, wise, and prosperous reign, by dividing the empire amongst his five sons. Iziaslaf, the eldest, was nominated his successor, and endowed with the paternal dominions; whilst his four younger brothers received for their appanages smaller principalities, held under the sovereignty of Iziaslaf, whom they were to acknowledge as their liege lord.

This injudicious arrangement soon produced its natural consequence—civil war; and the brothers of Iziaslaf drove their liege lord from the throne and country. He was restored to both by the assistance of Boleslaf the Dauntless, king of Poland; but as soon as the Polish monarch retired, Iziaslaf was again obliged to flee from his dominions, and to seek assistance from abroad. Boleslaf refused this time to interfere, and the fugitive monarch went to implore the aid of the Emperor, Henry IV. It was on the banks of the Rhine, in the city of Mayence, that the exiled sovereign of Russia was presented to the Emperor by the Margrave of Saxony. According to the German chronicler, Iziaslaf offered to Henry a great quantity of golden and silver vessels, as well as of costly furs, imploring his assistance, and promising to become his vassal. The young and chivalrous Henry granted without hesitation his protection to the unfortunate monarch; and

---

\* Hume, following the ancient historians, says that the King of Sweden sent the English princes to Solomon, King of Hungary. Solomon was not in existence at that time, and this chronological error was corrected by Lingard. It is unimportant to know the real name of the Hungarian king who received the English princes, but it would perhaps be interesting for an historical student to ascertain whether there could have been any intercourse at the beginning of the eleventh century, between countries so remote as Sweden and Hungary. We think that the only communication which may be supposed to have existed at that time between the two above-mentioned countries, must have taken place through Russia, which then bordered on the territory of Sweden, as well as on that of Hungary. The Swedish historian, Olof Dalin, believes that the chroniclers, who have reported the circumstance of the exile of the English princes to Hungary, have mistaken Holmgardia (the Icelandic name of Russia) for Hungaria. But an almost contemporary writer, Adam of Bremen, expressly says, in speaking of Edmund Ironside—*Filii ejus in Russiam exilio sunt damnati*. It is very possible that the English princes went afterwards from Russia to Hungary.

sent ambassadors to Kioff, intimating to the princes who had expelled Iziaslaf, that they should restore the throne to its legitimate heir, threatening, in case of refusal, to invade their dominions, and to punish the usurper, notwithstanding the great distance which separates the banks of the Rhine from those of the Dnieper. The imperial embassy was received at Kioff with great honours, and dismissed with rich presents. A contemporary German historian, who describes all this transaction, says: "we have never before seen so much gold, silver, and costly garments."

As the emperor was unable to give Iziaslaf a more effectual assistance than that unsuccessful embassy, he sent his son to Rome, in order to request the protection of Gregory VII. for the recovery of his dominions, promising to acknowledge not only the spiritual but even the temporal supremacy of the Roman Pontiff over Russia. It was natural that so ambitious a Pope as Gregory VII. should hasten to avail himself of so favourable an opportunity for extending his domination; and he wrote on that occasion two letters, one of which was addressed to Iziaslaf himself, accepting his propositions, and the other to the king of Poland, reproaching him for his behaviour to the sovereign of Russia. The Pope's assistance proved, however, to be of no more value than that of the Emperor; but Iziaslaf recovered his throne by the death of his brother who had usurped it.

We have enlarged upon these events, because they show the state of the relations which existed at that time between Russia and the west of Europe, which from that time downwards, constantly became less and less frequent.

It was in the beginning of the reign of Iziaslaf (1055), that the Polovtzees appeared for the first time on the south-eastern frontiers of Russia. They were a wandering nation, which in consequence of a revolution, or some other event unknown to the historians, left the deserts of central Asia, and arrived in the middle of the eleventh century on the borders of the Black Sea, which they occupied from the mouth of the Don to that of the Danube. The Polovtzees soon became the terror of all the adjacent countries, and the historians speak with the greatest horror of the savage manners of these children of the desert.

Their mode of life was the same as that of the present Toor-

komans, or other erratic tribes of Asia; and their occupation, war and plunder. From their arrival on the confines of Russia, till their annihilation by the Tartars, in 1224, the Polovtzees played a most prominent part in the history of Russia, not only as very dangerous enemies, but also not unfrequently as allies, or mercenary auxiliaries. The most remarkable events which took place from the reign of Iziaslaf to the invasion of the Tartars, are the fall of the principality of Kioff and the establishment of two powerful principalities; that of Halich, in the south, and that of Vladimir, on the Klasma, in the north of Russia. But the most important fact of that period, is the existence of three republics in Russia, Novgorod, Pleskow or Pskow, and Viatka. The origin of the two first dates from before the arrival of the Northmen, who were obliged to adapt themselves to the popular forms of these two states. Besides the authority of the grand duke of Russia, whom they nominally acknowledged as their liege lord, they had a sovereign prince of their own, but his power was limited to judicial functions in time of peace, and to the command of armies in time of war. His dignity was not hereditary, but he was generally chosen by the people amongst the many princes who governed different parts of Russia; and there were many instances of these princes being deposed and sent away from the country, by the same citizens who had elected them. Besides the prince, there was a popular magistrate, called Possadnik, who was elected by the Viecha, or the assembly of free citizens, deliberating in the market-place of the town. The republic of Viatka was founded 1174, by emigrants from Novgorod, who, actuated by some reason which we are unable to ascertain, left their native country, and following the course of the Volga and the Kama, found a fertile tract of land, where they built a town and established a republic governed by forms similar to those at Novgorod. This new state was increased by successive arrivals of other emigrants from different parts of Russia, and waged many successful wars with the adjoining Finnish tribes, as well as their own countrymen of Novgorod, who affected to consider them as deserters.

After an existence of two hundred and seventy-eight years, this little republic was destroyed by a sudden incursion of the

Tartars in 1452, and it afterwards became a province of Moscow.

The impolitic measure of Iziaslaf by which he divided the empire amongst his sons, was imitated by many of his descendants, who reduced their small principalities by giving separate appanages to their children, and Russia became divided into a great number of petty sovereignties, who constantly warred amongst themselves.

From the death of Iziaslaf (1078) to the invasion of the Tartars (1224), the history of Russia presents an almost uninterrupted succession of civil wars, marked with the atrocity belonging to those centuries, although it occasionally exhibits some of those noble and chivalrous traits, which relieve the gloom of the middle ages.

It was a great advantage to Russia to have been converted to the Eastern Church at a time when Constantinople; notwithstanding the decline of the Byzantine empire, was still the most civilized capital in the world, and the principal seat of learning which still remained in Europe. This circumstance afforded to Russia facilities for the advance of its civilization, far superior to those that were enjoyed by nations adhering to the Church of Rome, which at that time was in a state of illiterate barbarism when compared with Constantinople. The first Russian clergy came from Greece, and long after the introduction of Christianity, many metropolitans of Russia were natives of the Byzantine empire\*. Schools were established at Kioff, Novgorod, and many other places in Russia, where Greek and Latin was taught; and the chronicles mention many libraries composed of works written in the learned languages. Churches were built and adorned by Byzantine artists, and many specimens of their superb workmanship are still preserved in some parts of Russia; a great number of Russians constantly served in the imperial armies, and merchants of that nation traded in different parts of the Byzantine empire.

Intermarriages took place between the reigning dynasty of Russia and the families of the emperors. The Grand Duke

---

\* The metropolitans of Russia always went to Constantinople to receive the consecration from the Patriarch. During the time when Constantinople was occupied by the Latins, the metropolitans of Russia were consecrated at Nicea, which was the residence of the patriarchs of Constantinople during that period. This custom was continued till the capture of Constantinople by the Turks.

Vladimir II. received from the Emperor Alexius Comnenus, a crown, a sceptre, a globe, and other insignia of royalty, which are still preserved at Moscow, and used by the Emperors of Russia at their coronation. The connection between Russia and Constantinople was at that time so intimate, that many Scandinavian authors, speaking of Russia, call it Greece. It was owing to its constant intercourse with the Byzantine empire, that Kioff acquired the degree of splendour and civilization for which it was then renowned amongst all nations. The celebrated German annalist Dittmar who lived in the eleventh century, says that Kioff had eight large market places and four hundred churches. This may be an exaggeration, but it serves at any rate to prove the high reputation of that city, which another German chronicler of that epoch, Adam of Bremen, calls the second Constantinople. The Mongolian historians speak of the admiration with which Mangoo Chan was struck, on seeing the walls of Kioff for the first time, when he came to besiege and destroy it at the head of his hordes in 1240.

The commerce of Russia seems to have been in the most flourishing condition during this epoch. Russia was at that time the great commercial road between the Baltic and the Black Sea. That part of the Dnieper which flows between Kioff and the Black Sea, was commonly called the road to Greece; and every year at certain epochs large fleets laden with the rich productions of southern climates and of Byzantine industry, arrived at Kioff, where their goods were exchanged for wax, honey, furs, and slaves, which formed the staple articles of the exports from Russia. The arrival of the Polovtzees\*, who occupied in the middle of the eleventh

---

\* Previous to the arrival of the Polovtzees, the Russian empire extended to the shores of the Black Sea, and after its partition by Vladimir, one of the most important principalities was that of Tmootarakan, which comprised the southern part of the Russian dominions. In the 11th century the very name of Tmootarakan, probably destroyed by the Polovtzees, entirely disappeared from the annals of Russia, and the modern historians were much perplexed to ascertain the geographical position of that place. These doubts, however, were resolved half a century ago by the accidental discovery which was made in the isle of Taman of a stone placed on the shore of the strait which separates that island from the Crimea, having an inscription in Slavonian, which says, that prince Gleb had measured the sea from Tmootarakan to Kerch, and stating the result of this measurement. The town of Kerch, which lies on the opposite coast of the Crimea, is still so called; and we know by the Byzantine writers, that there was on the isle of Taman a Greek fortress, called Tamatarca, a name which the Russians perverted into that of Tmootarakan.

century the northern shores of the Black Sea, did not arrest the commercial intercourse between Russia and the Byzantine empire; and it seems that these barbarians found their advantage in allowing a free passage to merchants, who continued to trade in their customary way\*.

Russia had also at that time a considerable traffic with the Caspian Sea by means of the Bulgars, a Mahometan nation, inhabiting the banks of the Volga, in the country in which the present government of Casan is situated, and entirely distinct from the Bulgarians established on the banks of the Danube. The Bulgars are frequently mentioned by the ancient chronicles as a very commercial and wealthy nation; and the ruins of their capital, situated at a distance of sixty English miles from Casan, and six from the banks of the Volga, still retain many inscriptions in Armenian and Arabic on the graves of natives of Persia and Armenia. Arabian coins and different golden and silver ornaments are found in the vicinity of those ruins, which attest their former wealth.

The commerce of Russia was not limited to the countries situated on its south-eastern frontiers, but a considerable trade was also carried on with the countries situated on the Baltic. Novgorod was the great mart where the commodities produced in Russia, as well as the merchandise imported from Greece by the Dnieper, and from Persia and India by the Volga, were exchanged for the goods of Scandinavia, Germany, Flanders, and England; this fact is reported by many Scandinavian historians, and confirmed by the Arabian coins, which have

---

\* The annalists of Russia make no mention of any immediate intercourse between that country and the trans-Caucasian nations, previous to the invasion of the Tartars. They only speak of wars between the Princes of Tmootakaran and the Kassagues, supposed to be the present Circassians. But the Arabian historian Massoodi speaks of a predatory expedition undertaken (912) by the idolatrous Russians and Slavonians, on the Caspian Sea, and their destruction by the Mahometans. The annals of Georgia give a romantic story of George, son of Andrew, Grand Duke of Russia, who, being driven from his country, came to Georgia, and married the Queen Tamar; but he behaved so ill, that the princess was obliged to send him out of the country. Tamar, who reigned in Georgia from 1171 to 1198, was renowned for her beauty, talents, and virtues. She conquered many provinces, founded new cities, and patronised arts and sciences. Her reign is not only the most glorious and prosperous period of the history of Georgia, but it also constitutes the golden æra of the literature of that country.



been found on the shores of the Baltic. The Russian ships navigated the Baltic, and the Danish historian Saxo Grammaticus says, that when Swend IV., king of Denmark, besieged Sleswick (1157) he seized a great number of Russian vessels, and distributed their cargoes to his soldiers instead of pay. The proverbial sentence universal in the North, "*Quis potest contra Deum et magnam Novogardiam?*" "Who can aught avail against God, and the great Novgorod?"—proves the great celebrity which that city had obtained by its power and wealth. It was constantly frequented by merchants from Germany and Scandinavia, many of whom were permanently settled at Novgorod, where they had a separate quarter; they were governed by their own laws, and by magistrates, whom they elected themselves. They enjoyed perfect religious liberty, and had two churches, one German, dedicated to St. Peter, and one Gothlandic, or Swedish, dedicated to St. Olaf. The Russians had also a church of their persuasion on the island of Gothland.

There is a very remarkable circumstance relating to the commerce of these times, which we must not omit to mention. The possessions of Novgorod extended at one time as far as the shores of the White Sea, and its merchants had frequent intercourse with the country intervening between that sea and the Ouralian, or Riphean mountains, whence they exported costly furs and precious metals. The Scandinavian and Icelandic authors, who called this country Biarmia, speak of its great riches, and say that the inhabitants of Biarmia adorned the fanes of their idols, and their cemeteries, with a great profusion of precious metals. This account of the wealth of Biarmia, was treated by modern critics as a mere fiction, deserving no more credit than many other fables with which the northern *sagas* abound; and the precious metals which the Novgorodians occasionally drew from that country, were supposed to come from Siberia. It appears, however, that the account which the above-mentioned Scandinavian authors have left us, as to the quantity of precious metals found in Biarmia, is by no means without foundation, if not altogether correct; for it is precisely in the government of Perm, which comprehends the ancient Biarmia, that gold mines have lately been discovered. It may therefore be readily believed, that gold,

which is there found almost on the surface of the ground, and is extracted by the easy process of washing, was known to the ancient inhabitants of the country.

Other towns of Northern Russia, besides Novgorod, carried on a considerable trade with the Baltic. A treaty, concluded in 1228 between Mstislaf Davidovich, Prince of Smolensk and Riga, has reached us; and as this curious document gives an idea of the state of the commerce of that time, we shall mention some of its principal provisions. This treaty is remarkable for the great liberality which it displays to strangers, whose persons, properties, and interests, are particularly guaranteed by its stipulations. After having enumerated different kinds of crimes and offences, which might be committed either by Germans or Russians, and having established a proportionate fine for each of them, the treaty declares that a foreign creditor is to be satisfied before every other. The foreign merchants were to be judged by the prince himself; but, should they prefer it, they could bring their case before ordinary tribunals. Judicial combat was entirely prohibited, and the ordeal of fire only allowed by mutual consent of both parties. As soon as a German merchant arrived on the frontiers of Smolensk, the inhabitants were obliged to furnish means for transporting his goods, and to become answerable for the safety of his person and property. This stipulation particularly referred to the passage across the land intervening between the Duna and the Dnieper. The merchandise was exempted from every duty on entering the frontiers, but every merchant was obliged on his arrival to give a piece of linen to the reigning princess, and a pair of Gothlandic gloves to the commander on the frontiers. Certain duties were paid on the sale and the weighing of goods. German merchants could never be forced to take military service. All the privileges conceded to the German and Gothlandic merchants, were likewise guaranteed to Russians, at Riga, Lubeck, and other places, which were comprised in this treaty. The course of the Duna, from its source to its mouth, was declared free for the navigation of German as well as Russian merchants. This treaty, written at Riga, is sealed by the seals of the bishop of that city, of the grand-master of the Livonian (sword-bearers) Order, and signed by many merchants of Riga,

Lubeck, Gothland, and some other places. It is concluded by a declaration, that whoever, either amongst Russians or Germans, should infringe these stipulations, will be considered as the enemy of God.

The literature of Russia, during that period, is, considering the general barbarity of the age, by no means despicable. Owing to the immediate influence of Constantinople, the means of information were more abundant at that time in Russia than in any other part of Christian Europe (we must except Mahometan Spain). We have already mentioned the translation of the Bible into a language common to all the Sclavonian peoples, which was made by St. Cyril before the conversion of Russia to the Christian faith in the tenth century: and many sacred books were translated from the Greek into Sclavonian, by order of the Grand Duke Yaroslaf; but there can be no doubt that the profane Greek authors also found their way into Russia. Even at the present day there are legends current amongst the common people in Russia, but particularly in the northern provinces, and chiefly in the neighbourhood of Kioff, which bear evident marks of their Greek origin. Many of these tales relate to the exploits of the ancient princes and warriors of Russia; but the most remarkable monument of the literature of that age, which is still extant, is the poem of the expedition of Igor, written towards the end of the twelfth century, which deserves to occupy a distinguished place amongst the epic poems of the middle ages, and is in fact the *Niebelungen Lied* of the Sclavonian nation\*.

Our present limits forbid us to enter into a more detailed account of the remains of early Russian literature, preserved in this curious poem, and in the wise admonitions of the vir-

---

\* The poem is founded on the following event:—In 1186, Igor, a petty prince, who reigned in the present government of Tchernigoff, animated by a noble emulation to rival the glory of other Russian princes, who had obtained considerable advantages over the Polovtze, concerted with his brother, Vsevolod, the project of an expedition, not only to equal, but even to surpass the laurels reaped by the other princes. The beginning of the campaign was successful, but afterwards, overwhelmed by numbers, the Russian forces were destroyed, and Prince Igor taken prisoner. After a long captivity, he succeeded in escaping from his enemies, and returned safe to his country.

tuous Vladimir to his children, which breathe the spirit of our own Alfred.

But the ancient laws of the country claim our attention ere we conclude. A written code existed in Russia as early as the eleventh century, which was promulgated by Yaroslaf, who reigned from 1014 to 1054. This code is a collection of ancient Slavonian customs, somewhat modified by the legislation which prevailed amongst the Varagians. The punishment of death was in almost every case superseded by a fine; the law of *fidei-commissa* was accurately determined; the descent of property was regulated, in default of testamentary dispositions, in favour of the younger son; and what is still more remarkable, it was provided by Yaroslaf's code that a plaintiff in any suit should appear before a jury of twelve citizens, who were sworn on their oath and conscience well to discuss the circumstances of the case, leaving the sentence to be passed by the judge. In like manner it is reported by Saxo Grammaticus that Regnor Logbrok, King of Denmark, instituted trial by jury in the eighth century.

The annals on which we have dwelt amply suffice to prove that the ancient Russians stood comparatively higher in the scale of morality and civilization than the Russians of our own time. Previous to the invasion of the Tartars, Russia could boast of republican forms of government inherited from the Slavonians, of chivalrous manners engrafted by the Northmen, and of a remarkable degree of cultivation imported from Constantinople. But the elements of civilization which it shared with the great Teutonic nations were crushed by the inroads of the barbarians of Asia; and all vestiges of ancient liberty were destroyed, and the moral dignity of the people sunk or effaced, under their long subjection to those eastern hordes. This is a fact which Karamzin himself is obliged to admit; and the subsequent condition, into which the Muscovite nobles have passed, has fostered all the vices of more polished nations without producing their virtues. Had the ancient Russians been able to resist the invasion of the Tartars, and had they escaped the calamities of internal weakness and dissension, a great nation might have arisen instead of a barbarous power; Constantinople might have been defended from the invasion of the Latins, and the conquest of the Ottoman; and the de-

clining Empire might have been regenerated by a hardy Sclavonian race, governed by a dynasty of Normans, and imbued with the principles of freedom. Such will not be the issue of the sustained attacks *now* directed by the Autocrat against Constantinople; and should the crescent fall before the cross, the northern invaders will not bring with them the vigour of a free people or the blessings of those institutions which their ancestors enjoyed, but the unmitigated arrogance of tyranny, the insatiable avarice of conquest, and the degrading yoke of slavery to a people which is itself enslaved.

#### ARTICLE X.

*A few Observations on Religion and Education in Ireland.*

By the Rev. EDWARD STANLEY, A.M., Rector of Alderley. Third Edition. London: 1836.

*Letter to a Protestant Englishman.* By the Rev. JAMES MAHER, Administrator of the Parish of Carlow, in the Roman Catholic Diocese of Kildare and Leighlin. London: 1836.

*A View of the State of Pauperism in Ireland, its Evils and its Remedies.* By LAW RAWSTORNE, Esq. Second Edition. London: 1836.

THE reign of the Plausibles is at an end—the period of expedients, and bit-by-bit “concessions,” and hollow truces, is passed. War or peace with Ireland!—this is the plain question—(it is still a question!) which has been debated these few weeks past, in the first legislature in the world, by men, calling themselves statesmen, in the midst of this nineteenth century, in the face of the advancing civilisation of all Europe. A stranger listening to those debates might reasonably have asked if Ireland were a young and turbulent republic, separating itself from the general system, or a new and reluctant conquest, or a distant colony, which, having outgrown the necessity of dependence, for the first time had attempted to throw off allegiance to the mother country? With what surprise might he not naturally listen to our

answer. Ireland, if we believe our geographies, is at our very door—our histories bear cogent evidence that she has been connected with us (too nearly for her happiness) for centuries,—the statute book avers that she is united,—Whig and Tory vie with each other, in celebrating her incorporation—bone of our bone, flesh of our flesh—Lord Stanley calls her a part of Yorkshire, and Mr. Spring Rice, West Britain. With this part of ourselves—with this section of the same nation, another section is wise enough to proclaim war!—not indeed the war of cannon and bayonet, but the wasting war of unequal laws, coercive statutes, judicial sharp-shooting, political degradation—a war of the coterie against the millions, of might against right—a war to an intelligent people contemptible, to a spirited people unendurable, which differs only in the means of carrying it on from the old war of Irish subjugation. To this simple statement nothing need be added—the fact alone is the bitterest of all sarcasms. The worst reviler of English power, justice, or glory, could not say more. Where is the might of her institutions, he might well demand, if her own people have so long resisted them—or of her even-handed justice, if her own children have been in one uninterrupted insurrection against her—or of her high moral and religious supremacy, if wretchedness, unexampled amongst the nations of Europe, if outrage, if crime, be the only fruits of all her moral training? 'The race is "indisciplinable" is the only plea, the only reply to all such reproaches, but we cannot forget it is also the old plea of every blunderer. The bad teacher throws his own incompetency on the pupil—the bad parent his own vices on the child; a dangerous and disgraceful expedient, whether adopted by states or by individuals.

We are of a far different creed. We think the crimes of the subject are the crimes of the master. Not a single drop of blood shed in Ireland, be it on what side it may, but is a trumpet-tongued accuser against the "discipline" of England. The Irish are not organically irreclaimable—no part of human nature is—it would be a calumny against our species, and a blasphemy against him who created it, to suppose it so. The Mhairwarrahs have been reclaimed—the Indians have been reclaimed, and why is it that we have not yet reclaimed the Irish people? Men are the creatures of

circumstances, and English misrule has been for centuries creating such circumstances round Ireland, as rendered all reclaiming very nearly impossible. Under another discipline, this indisciplinable pupil would have equalled its teacher. Ireland would have been another England. Scotland was a worse Ireland to the end of the seventeenth century\*.—What is she now?

One good, however, has come out of these debates. It has at last placed the argument on its true basis. It is not the Tithe question, nor the Orange question, nor the Corporation question; it is essentially and emphatically the "Irish question." These are the mere phases through which it has had to pass. The real question is far broader. Accordingly, a far truer and more real tone is at last assumed. We no longer hear of the family affection, which compels England so reluctantly to use the mercy of justice towards her erring sister. It is no longer pretended, that she chastiseth whom she loveth. The Establishment is no longer to be maintained, out of compassion, in the Bishop Boulter phrase, "to the souls of their poor benighted countrymen:" the Catholic is no longer to be excluded from his franchises, on the

\* The state of Ireland was never worse than that of Scotland in the time of Fletcher, of Saltoun.—(*Second Discourse on the Affairs of Scotland*, p. 100.) After stating, that there were in that day (1698) 200,000 people begging from door to door, he continues—"And though the number of them be, perhaps, double to what it was formerly, by reason of the present great distress, yet, in all times, there have been about one hundred thousand of these vagabonds who have lived without any regard or subjection, either to the laws of the land, or even of those of God and nature." This barbarism, as now in Ireland, was attributed to the country. Fletcher answers, "It is in vain to say that whatever people are planted in those mountains, they will quickly turn savage, and as great beggars as the present inhabitants; for the mountains of the Alps are greater, more desert, and more condemned to snows, than those of the Highlands of Scotland, which are every where cut by friths and lakes, the richest in fishing of any in the world, affording great conveniences for transportation of timber and any other goods; and yet the Alps, which have no such advantages, are inhabited every where by a civilized, industrious, honest, and peaceable people; but they had no Lords to hinder them from being civilised, to discourage industry, and to encourage thieving, and to keep them beggars, that they might be the more dependant; or when they had any, as in that part of the mountains which belong to the Swiss, they knocked them on the head."—(p. 105.) Read *Mr. Vigors' Statement of Persecutions, &c.*, p. 8, and the *Rev. Mr. Maher's Letter* p. 9, and then judge why it is, that the Ireland of 1836 so nearly resembles the Scotland of 1698.

ground that they can be of little use to him : the ascendancy is no longer lauded solely as a link to keep together the connection. We have defiance—sans phrase : hatred to the alien, whips and stripes to the subject, prostration to the rebel. This we like—it is honest—we thank Lord Lyndhurst for the lucidity of his manifesto. The Irish people can now understand the quarrel, and meet the enemy in “open day.” With such advantages, they need have little apprehension for the result. We well know how the “quos ego ——” must necessarily terminate. The Emancipation and Reform lessons have not been given in vain.

Until it be thoroughly determined, whether there is, or is not to be an Union between England and Ireland—not a parchment Union—not a treaty of Limerick Union—but such as beseems two powerful, intelligent, and independent nations ; until it be perfectly understood on what terms it is to stand, whether Ireland is to be the subject, and England the sovereign, or both to be equal, both co-heritors of the same advantages and rights ; until this be a reality, and not a phrase—a living, moving, effective principle, in all things, and at all times—the great practical axiom of all our policy—legislation for Ireland must be a constant “contresens,” a Sisyphean labour ; painful to one party, insulting to the other ; utterly fruitless, and unsatisfactory to all. Debates on the Tithe or Corporation details are absolute idleness, waste of time, unless the principle by which they are to be decided be at once and for ever fixed. We care little, whether Belturbet deserve a mayor, or whether five pound householders in one borough be a good constituency, and in another bad. We do not despair of the country, whether the bonus be 25*l.* per cent. or 30*l.*, or whether there be little or no surplus instead of too much. The point we really care for, the point really to care about, the point which the country ought never to rest until it see it placed beyond the reach of Kings, Lords, or Ministers, be they who they may, is the title under which all these details are to be debated. It is right we should know whether we are sending forth our proconsuls and edicts to a province, or are really legislating for Rome itself, for an integral third of the empire, equal in all rights and pretensions to the other two. This it is which must alone determine whether laws enacted in an Anglo-Irish legislature,



for the Irish people, are to be considered as "concessions," or "restitutions," or "graces," insultingly cast to an inferior, or as atonements and reforms required and obtained at last, though late, by an equal. The indistinctness so industriously cast around these principles, for the worst purposes, must not be suffered to continue another hour by the Irish people. They must speak out, in terms which no man shall misunderstand. Doubt on such a question, is a surrender of all claims to the port and bearing of a free nation. It is a tacit sacrifice of all right of self government: and a cowardly yielding up of all pretension to the esteem of their fellow nations. Give the best institutions in this spirit to day—as a bonus, as a favour—and not as a restitution, or as a right—and there is no possible reason why any or all of them may not be withdrawn (the occasion serving) to-morrow. This "*quamdiu bene se gesserit*" grant is altogether at the mercy of the granter. He tolerates what he cannot help, and which, as soon as he can help, he will tolerate no longer. The minister who so grants will grant in words, and infallibly neutralise in deeds; remove the penal code from the statute book, but maintain it in the government office; give the franchise, but thwart its exercise; annihilate corporations, but retain their corruptions.

Up to this hour the title of the Irish has not been acknowledged, or acknowledged only for the purposes of imposts, or in the moment of apprehension. Talk of a tax—talk of the Repeal question—talk of independence—and you will hear enough of identity, and equality, and justice, and the one race, and the single family, and the common country all around. But the moment the Irish call for a practical proof of this justice—the moment they assert this equality—the moment they act on the family privilege—the moment they look for their portion in the common inheritance—"what share have they in David?" is instantly the answer. Now we frankly say—one thing or another. If Ireland is to be considered as England, as Lord Stanley avers, when church taxation is in question, in the name of that consistency which is policy, if not politics, let Ireland be also considered as England, when municipal franchises are in question. If Ireland is to be looked on as Ireland only, when common rights are in

question — if Ireland be organically irrecoverably separate, as Lord Lyndhurst holds, let her also continue such when there is a question of churches and imposts. But really it is much too grand inquisition a kind of logic, to incorporate for the burthens and to separate for the franchises—to associate in the privilege of suffering, and to reject from all enjoyment in its compensations. One point only in all these contradictions seems thoroughly settled—in all its inconsistencies, the party was consistently true to its own ascendancy. Whatever course Ireland takes, the result is precisely the same. Witches being witches, whether they sank or whether they swam, were sure one way or the other to perish. If Ireland makes no stir about her rights, she does not care for them: her brutalised population are so sunk in the mire of thralldom, they do not even understand the meaning of liberty: to give them English franchises is to throw pearls before swine: if, on the other side, she stirs, threatens, demands, down come the very same personages with solemn speeches on the majesty of the laws, and with very violent lessons on sobriety and decorum, and how Englishmen are not to be bullied, and will never give the slightest relief (such was the phrase a month before the Relief Bill) on compulsion. If she does not agitate, there is no reason why English institutions should be forced upon her; and if she does agitate, there is every reason why they should be refused. So that, between doing and not doing, whether active or passive, she is sure to be ever in the wrong, and her masters as sure to be ever in the right. Every means is taken to keep her below England, and then she is taunted for not being her equal. Men have been labouring at her degradation for centuries, and now it is considered that it is in the fitness of things, and a marked and beneficent dispensation of an English and Protestant Providence, that she is degraded and inferior.

It is difficult to conceive on what possible ground these Tory pretensions of mastership and superiority (thank God they are no longer those of the nation) can be supported? Is there one single argument for them, in right, in expediency, in practicability? Whether we turn to original right, or to constitutional right, we receive precisely the same answer. If at this hour, these three countries were still in a state of single blessedness,

and desirous, as in such cases, for mutual advantage, to enter into partnership, on what principles do we suppose they would conduct their proceedings? Were a treaty of the kind for the first time on the tapis, do we think that Lord Lyndhurst or Lord Stanley, or any of the Thrones and Dominations, the Principalities and Powers, who now talk so magniloquently of English and Protestant supremacy, would be the Protocolists selected by the nation on the occasion? The countries would require men of common sense, not dreamers of the past when they had to deal with the present, men who could give that they might receive—men willing to do justice to others, that justice might be done to them in return. Each country would feel that, in their actual position, they were exposed to triple danger in war, to triple inconvenience in peace. England would see in Ireland, a convenient battle-field for the voidance of all sorts of European and American quarrels. Ireland would see in England, an all-embracing power, which could at any time shut her out from all commerce with the rest of the world. Both would see in Scotland a country which could hang over both, with her hardy mountaineers. Distrusts, defences, prohibition, protections, enormous war and peace establishments, would be necessary, wasting and shackling the energies of all three. Would any man say, that such an independence was a state for any country, either very enviable, or very secure? The only terms which could have any chance of being accepted, or even proffered, would be the *sine quâ non* of mutual satisfaction. What mutual satisfaction may be, it is not very easy, it may be observed, to determine; but it is very easy to determine what it is not. We will suppose, for instance, Ireland to argue thus: "I have more corn than I can consume — I should feel it a convenience that England would take the surplus off of my hands: at the same time, my manufactures are yet in a very feeble state, and require protection: England will at once see the 'justice' of their being protected by bounties, prohibitions, &c., of excluding, in other terms, the cottons and iron of England." The answer which the sister-state would naturally return to such a proposition is quite obvious. "An union between us, to be just, must be reciprocal; to be permanent, must be mutually advantageous. I cannot take your corn, unless you take my cottons." In like manner,

were England on her side to insist (as proposed by some wise English Unionists) to exclude Irish labour, Ireland would, doubtless, insist on the parallel "justice" of excluding English manufactures. But in all this, it may be argued, there could be no difficulty, commercial concessions are very easily bartered for concessions; the rights of conscience however are quite other matters: you would not, surely, traffic away religion. All this may be perfectly true, and yet we shrewdly suspect, that on this very point of religion there would be just as little choice as on that of corn and cottons. On a proper settlement, in fact, of this question, would mainly depend whether there was to be an union, or no union. We will take the countries as they are. England is Protestant; Ireland, Catholic; Scotland, Presbyterian; each believing its own religion true, and, of course, that of its neighbour's false. Now, on the showing of Mr. A. Johnstone, and Lord Mandeville, it is as the sin of witchcraft, suffering, much less abetting the propagation of a false religion, and if these statesmen were the negociators, we confess we should have very little hope of this very suitable connection. The countries would have to continue separate—perhaps hostile, certainly insecure—and the Johnstones and Mandevilles, would perhaps receive orthodox honours for the achievement. But we cannot imagine in the long run, that such a state of things would be preferred by the landlords, farmers, capitalists, operatives, and other tax-payers of the community. Ireland, we can easily conceive, devoured by a zeal to save Scotch souls, whether they liked it or not, might, at first, insist on establishing a "United Catholic Church," over the heads of the heretic Presbyterians: she might reason, for aught we know, that it was impossible she could quietly see them "perishing about her:" and we have little doubt that such reasoning would appear perfectly fair, benevolent, and christian, to the orthodoxy of Connaught and Munster. It might indeed be true, that the Catholics in Scotland were a mere handful, compared to the Presbyterians, but that could be no reason—we appeal to Lord Stanley—why they should be even mentioned. By the proposed union, Scotland would be an integral part of Ireland, as much as if it formed a portion of the kingdom of Kerry. The Catholic population of Ireland would be about double the Presbyterian population of Scotland,

and as majorities are always in the right, the justice of this arrangement would be incontrovertible. It is true, the Scotch would have to pay for two churches, instead of one, but then, when they reflected, that this apparent burthen was solely intended for their salvation, for which they could in no wise provide themselves—it is utterly impossible, according to all principles of human nature, and all experience of history, that they should not, in the long run, feel grateful. The discord would end in harmony, and these chains, as they might at first be considered, would turn out, when the people got accustomed to them, to be the strongest links of connection between the two countries. The christianity and charity of such proceedings would not be less obvious. Is not the Catholic religion, the Irish Catholic Priests might very well say, the only true one? The United Church must do her best to produce uniformity. If the lambs come not after she has provided for them to be fed, it is the fault of the lambs, and not of the pastors.

This reasoning, however, has two sides. Whilst Ireland would thus yearn to catholicise Scotland, England, we may be quite sure would not less yearn to protestantise Ireland. She would think it a matter of Protestant conscience to make a precisely similar proposition to her back-sliding sister. It would be difficult to persuade her that Popish ploughs were good for anything, or that it was possible there could be any great consumption of guns or cottons amongst men who believed in transubstantiation. The result of all this would be a running round the same vicious circle ad tædium, or a compromise. With all possible horror of each other's abominations, there would in the end be either mutual concessions, or no union. In order to enjoy her own faith on her own shores, Ireland would at last think it sound policy, and, for aught we know, very orthodox religion, to allow Scotland, on the same terms, the enjoyment of her's. The Peels would at last be persuaded to "be generous against their will"—the Sir James Grahams would not deem that "the gates of hell had pre-vailed"—the Lord Stanleys would not maintain that all connection was impracticable, without a Protestant parson, well paid (church and flock are accessories), in the wilds of Tipperaryshire, to woo and win the affections of her coy sister.

Each would keep her charity and christianity at home, and allow her neighbours to suit themselves after their own taste, without the aid of United Church establishments, no matter of what complexion. And this, under leave of Presbytery, Convocation, or Synod, would be sound practical common sense, good international justice, and true Christian morality. It would be a treaty, not of subjection or sovereignty, but of incorporation—the link not of gold, or steel—of churches, tithes, and armies—but of thinking heads, and affectionate hearts:—an union built on the only foundation on which unions can endure, or be enduring, can be anything but a “*discordia concors*” of reciprocal hatreds, wrongs, and struggles—on the solid foundation of mutual interest, mutual sacrifices, mutual benefits, and mutual satisfaction.

It is seldom, indeed, that such formalities precede these compacts. They are generally the result of compelling circumstances: a series of unperceived events ties the knot. But it is not less certain, that the nearer any union approaches to such terms, the more likely it is to be cherished, and to last. Men will chafe against restrictions not founded on fair equivalents, till they wear them down, or break them down. The mere fact of actual obedience to a yoke, is not a proof of acquiescence, but of incapacity to throw it off. A connection held together by force, is usually pregnant with fears and uneasiness to *both* sides. Even when it originates in conquest, the sooner the conqueror is lost in the fellow citizen the better. Lord Stanley indeed says, “enforce the law, that it may be respected:” a wiser as well as more generous policy replies, “amend the law, “and it need not be enforced; it will not only be respected “but be beloved.”

It is not, however, too much to assert, that had the Irish Union been deferred to the present day, Ireland would have proposed, and been enabled to propose conditions, not very different from those just mentioned. Would England, and could England have refused them? The Union which did pass had little to say to the people of either country. It was an outrageous job, managed between their respective oligarchies. The one bought, the other sold. The people were forgotten, or remembered only to be left out. But would such a course be practicable at present? Let us just consider a few

of the events which have taken place in the interval. Could an Irish House of Commons, rotten beyond the worst rottenness of the English, one unmitigated Old Sarum, have persisted in refusing Reform to the Irish people a single hour after such a measure had passed in England? Could it have persisted in rejecting Emancipation a single hour after Reform had taken place? but we will go much further: we venture to say that Ireland would have preceded in this race: it would have given the lesson and example of Reform to England. Twice or thrice, whilst England was inert, Ireland had already attempted and nearly accomplished this great object. To convince ourselves that she must soon have succeeded, we have only to reflect for a moment on the nature of the electors of Ireland under the Act of 1793, how they were affected, what were their numbers, and above all, what was their organisation? An Irish legislature, living in the midst of a people of seven millions wielding the elective franchise as they did in 1826 in Waterford, Louth, and Clare, with an opposition Parliament, in the shape of the Catholic Association, at their very door—an association which, while it played the constitution against the constitution at home, stretched out to America on the one side, and to France on the other—such a legislature, whatever might have been its wishes, could not have dared, or if it had dared, could not have succeeded in adjourning for twenty-nine years the righteous demands of so large a majority of the population. A civil war, not indeed the war of the field, but of the public mart, of the domestic hearth, of institution against institution, of family against family, a war fretting away in secret the energies, and hopes, and enjoyments of every class of the community, would have left the most stupid or the most obstinate no alternative. The steady, the inevitable pressure of men and things would have forced emancipation. Long before they were felt in England, the evils of delay had become intolerable in Ireland. It is true indeed, the Irish Parliament was still held in the trammels of the English cabinet; but the national independence had been solemnly asserted, not by the Parliament only, but by the nation, and attempts to interfere with the national will, on so important a question, so far from retarding, would have precipitated it. Nor would the employment of physical force have been more

successful. The Duke of Wellington's speech in 1829 bears ample evidence how fruitless such appeal would have been. A second 98 could not have been got up. The infernal machine would have burst in the hands of its contrivers. The Association would have disciplined them to peaceful agitation, and rendered physical violence impossible, by the superior efficacy of moral power. Reform must have immediately followed emancipation. The consequences of two such measures would have been far more powerful in their operation had no union taken place with England, than they could ever have been under the circumstances under which they were granted. It is very doubtful whether a Union would ever have been assented to by a reformed Irish Parliament; but if it were, as in our mind it ought to be, assuredly it would have been on far different terms. If the "Tail" be so formidable in the overwhelming mass of a British senate, it cannot be imagined it would have been less powerful in its own Commons. The Lords, indeed, might there, as here, have attempted to enact the part of a national opposition, but they would not continue to enact it long. The English Peers are at a distance from Ireland, and may menace, they imagine, with perfect safety, the "foreign foe." But the Irish Peers would have to *live in*, as well as *legislate for*, Ireland. The foe would be near them, around them, in the midst of them. It is not in the nature of things, that, session after session, an entire people would consent to kneel for their rights at their door. The Lords would have to submit to a change within or to a change without. A few years could not possibly pass without a total abolition of tithes, equality of sects, a more national constitution of public establishments, a good system of municipal government carried out to its fullest extent, a fairer distribution of justice, a judicious poor law, and a liberally organised system of education for every class and sect in the country. Such changes would naturally and inevitably follow each other—they could not be prevented but by a perpetual veto on the part of the crown, or perpetual resistance on the part of the peerage—both impracticable, without a second conquest. A Union between two such countries as England and Ireland, in possession of such franchises and rights, would necessarily be, as nearly as



possible, a compact on the very conditions we have just described. Such, indeed, are not the conditions of the compact which actually has taken place; because the Act of Union was passed at a particular period, and by particular men. The country was taken in her minority, before she knew the value of her position or her privileges—before she was allowed to give her voice fairly and openly—before her people had admission into the constitution—before they could as a people make themselves known or felt. It was only by a piece of jugglery, that the Act of Union between the countries was what it was. Can it be a matter of surprise then that Ireland should continue to chafe against so false a position, until, in spirit and practice, it be in some degree rectified, and brought into harmony with her real claims, with existing things, with the changes and institutions which have sprung up in the meantime? With such impressions general amongst the people, so far from the Union's being a bond of attachment and strength, it must be a repellent, a burthen, a cause of weakness. Even the most moderate will think it necessary to get rid of it before they can sit down seriously and usefully to any practical reform of the numerous evils which afflict the country. If the Church Establishment is to be upheld, not for any advantage to Protestantism (the episcopal Protestant church of Scotland flourishes without it), but merely as a means of keeping together this reluctant connection, or because it has been guaranteed in these articles, the establishment will not be loved the more, but the Union will run great risk of being loved the less. To bind Catholic Ireland to Protestant England, by a Catholic supported Protestant Church, a Church reviling, a Church oppressing the very population from which it derives its bread, is surely of all others the most preposterous mode of joining by discord, and conciliating by opposition, which could enter into the heads of modern statesmen.

It is then because we are convinced that a substantial union is really necessary to both countries—that we urge so strenuously the only description of union, which can, or ought to stand. No sacrifice of the general commercial or manufacturing interests of one state to the trading monopolists in the other; no withholding of the national liberties from the one to sustain the corrupt influence of an exclusive class in the other:

no governing in the one with menaces or insults, or displays of force, indicative of hatred or distrust unknown in the other : no capricious denials, no "reluctant concessions" to the one, of improvements in the laws, in the administration of justice; in education, &c., valued as solid advantages in the other ; the same laws, the same immunities, the same facility of acquiring and preserving them ; this, and this alone, is our union. A compact so based, so carried out, would be permanent, simply because it would be beneficial. The difficulty would be, not in maintaining, but in severing such a connection.

Reflecting men admit these positions. There are many amongst them, however, who regularly terminate these very admissions with a 'but.' Ireland is in so peculiar a state, they must apply laws and government to her, in direct opposition to these abstract truths, and which, under other circumstances, they would be the last men to think of. She is in a diseased condition, and must not be treated like a country such as their own, in sound health. They too are for justice, but their justice is not our's. Now there is much groundless and arrogant assumption in all this—positions which, once admitted, lead, by a very few steps indeed, to the old peremptory Cromwellian remedy, an exclusive code and national subjugation. Ireland does not differ, except in the mode in which she has been treated, from other countries. There is not a human nature, and an Irish nature. We never heard of a moral or physical disease of the chronic nature of that which afflicts Ireland having been eradicated, by dealing merely with the skin. We never heard of fever being expelled by new stimulants. In a "justice" which does not comprehend the whole country we have little confidence. The "justice" of a party means the pre-eminence of a party—equality, in the eyes of an ascendancy, is usurpation. We cannot discover, how keeping in a state of forced inferiority (even if it were practicable) seven millions of people, can be of the least advantage to any but the masters of those seven millions. Even that we doubt, or rather we think it quite as much an injury to the master as to the slave. The West Indian task-master knew the wisdom of not spending too soon the bone and sinews of his bondsmen. Good treatment is enlightened self-interest. But to whom can this anti-Irish policy be of the least use?

To the Irish? Certainly not. It has been the code, in letter or spirit, of Ireland since the first hour of the invasion,—the Irish are now reaping the fruits. Are they good, or bad. And of what advantage, we should like to ask, is it to the English? If large armies, rendered necessary to suppress all demonstration of dissatisfaction (as to dissatisfaction itself, it is not even pretended it can thus be eradicated), be of the least advantage to John Bull, if John Bull delighteth in the taxes necessary for the support of such armies, if all this be merely to sustain a section of a Church, of which the members form only a section of his own people, then perhaps, but surely not till then, can there be the least truth in the monstrous proposition. But the fact is, the quarrel between the two countries, though constantly laid on the nation, has little or nothing to do with the nation. Jealousies of this kind have been, in every country in the world, kept up solely by monopolists, who have abused the name of the nation for their own monopolising purposes. A civilized nation never assents in mass to an aggression on the rights of another. It was not the French nation which attacked the liberties of Spain, in 1832; nor was it the English nation that forced America to separation, in 1789. Neither was it the English nation which ruined Ireland, worked her into a rebellion, and up to 1829 defrauded her of her long-claimed rights. The “Mr. Public,” on every one of these occasions, was a club of jobbers in the liberties, feelings, and interests of both countries. They played steadily their own private peculating game, under the broad shield of the “*Salus Publica*,” through every change of national manners, of public events, of throwing down and raising up of dynasties. Nothing in fact can be clearer than what should be the policy of one nation towards another. Frank and ample justice, even in a Machiavellian point of view, is by far the shortest way to the most desirable end. Where such a course is not adopted, the transgressor is sure to be thrown sooner or later on the opposite extreme. He has no possible choice between incorporating and extirpating. Neither was followed up. The first was imperfectly attempted, and failed; there was not the wisdom of the Roman’s generosity to attempt the second. The English monarchy, engaged with its own intestine discords, had not the means nor the time to subdue

Ireland. They kept the native party at bay, by splitting it into sections. They played the Irish against the Irish. War against the people—laws, honours, emoluments, for the garrison. This was the simple principle, under all its modifications, of their administration. This garrison government has continued down to the present day. The old English charters had it in view—the records of the Irish corporations give ample proof that it was acted upon. The Irishry were by all means to be kept out of the English town: then as now, poverty often forced them into it; the intrusion was no sooner perceived, than expulsion followed. So late as James I., even in such cities as Waterford, Kilkenny, &c., it was not unusual periodically to order the emigration of the Irishry beyond the liberties. An English Archbishop of Edward I. sanctioned the hostility on religious grounds. “*Pro eò quod leges quibus utuntur “Hibernici, Deo abominabiles existunt.”* Every Irishman convicted of submitting to the decision of a judge of his own nation, was excommunicated; yet were English franchises refused, on the very same ground that they are still refused; they were unsuited—the Irish were aliens, they were oppressed as barbarians, and kept in barbarism to justify the oppression. Yet in despite of all statute and bye law, in despite of all prejudices of caste and nation, in Kilkenny, Limerick, and in many other cities, an Irish town (Ghetto as it was), rose up, and maintained itself by the side of the English citadel. The English knight and noble fell off into the Irish chieftain; the De Burgos became Mac William Burghs, the De Veres Mac Swynees, &c. It was in vain, that every Englishman who espoused an Irishwoman was condemned to be treated as an Irishman, in person and property; that every merchant of English race who traded with the Irish was punished by confiscation of his merchandise; that every Irishman, who was found in English quarters, was considered as a spy, &c., &c.; the force of nature and circumstance, could not thus be stopped, Desmonds, Fitzgeralds of every branch, De Courcys, &c., soon became “*ipsis Hibernis hiberniores,*” and a new party, extreme English, or English of the pale, stood forward, the new representatives of the Oligarchy. The nation was still classed into the “loyal,” and “the rebel”—the subject and the enemy—the superior and the inferior—the “Saxon,” and the

"wild Irish." To these elements of discord and separation, the Reformation added new. The reigns of Henry and Elizabeth again split the English into two new parties. Religious persecution was super-added to civil oppression, the Catholic portion of the Pale fell off to the Irishry, and became synonymous with it—the remainder became Protestant, and assumed to be pure English. Papistry and Irishry were held in equal abhorrence; for Protestantism was the religion of England and the Oligarchy. James I. made some efforts, partial and abrupt, to unite these scattered fragments—the native Irish were free to plead in those courts, where before they could rarely obtain the privilege of being impleaded. They got some glimmering of a free constitution, but the instrument employed to carry the intentions of the sovereign into effect, was still the Oligarchy—they rendered nugatory in act, what the king had promised in word, they again came between Ireland and all hopes of pacification. "And had not those very laws," says one of their early Protestant advocates ("to which this distressed people gladly fled for protection), like Penelope, unravelled the web they had woven, Irish Catholics would have sat down in peace and contentment, the most pleased and most grateful of all men upon earth."

The tyrannical enforcement of the statutes of Elizabeth and the profligate inquisitions and confiscations of Charles and James—confiscations carried on by the Oligarchy, and for the Oligarchy, under the plea of "general necessity," and under the sanction of the "national religion,"—drove them at last, as was long intended, into rebellion, from that day to this the staple argument, under a thousand forms, for every new process of injustice. Adhesion to their race—to their religion—to their native, soil were crimes under the old monarchy—adhesion to the monarch, in despite of all the severities and ingratitude they had received at his hands, was a new crime under the republic. Cromwell attempted to extirpate, not merely because they were Irish, or Papists, but because they were Royalists. Nor were they treated better by friend than by foe—by Charles than by Cromwell. On the Restoration, their attachment was not only not requited, but punished. The government of William began well—he treated with the Irish as equal enemies. The four

first years of his reign, when he governed in his *own* sense, and with great judgment and lenity, was a period of real prosperity ; but the beneficent intentions of the sovereign were soon thwarted by the hands through which they had to pass. The Irish parliament was only another name for the Oligarchy, under its worst form. Powerful only in evil, weak to all purposes of good, they bartered the national honour, the national independence, for the privilege of chief gaolers, for exclusive enjoyment of place and pelf, for larger permission to depress the very portion of the community from which they derived their strength. Conscious of usurpation, the colony, as they still kept themselves, trembled in the midst of the surrounding nation. The Penal code was substituted for the Norman knight and Cromwellian soldier, and succeeded better than either. Not only Catholic property, but Catholic mind was broken down. Spoliation was law : a prospective legislation of barbarism, and a studious desolation of every thing which could tend to the physical, intellectual, and moral improvement of the country, seemed to be the first principle of national government. Foreign education was restrained by the 7th William, c. 4. By a later statute, every Popish schoolmaster, tutor, or usher, was subjected to the same penalties as the Catholic Priest, and 10*l.* was offered for his conviction. In these barbarising non-education statutes, and not in the want of well bound bibles, shall we find the secret of " Irish barbarism." But it was necessary, when once the Oligarchy had determined on having slaves instead of fellow subjects, to put out the eyes, when they chained the arms, of their bondsmen. The same paternal legislation which excluded from knowledge, of course excluded from industry, and the rewards of industry. The clearing system, the stain of the same party up to this day, was then acted on in the mass, and under the direct sanction and encouragement of the legislature—with what rigour, may easily be conceived. Papists were prohibited from purchasing any of the forfeited lands, (the most unwise as well as most unjust of these perilous expedients,) all leases made, or to be made to them, were annulled ; they were virtually excluded from any inheritance, possession, and property ; and in precise terms forbidden to reside on upwards of one million of acres of the land of their forefathers. This extirpation-law

allowed only the existence of just that number of Popish serfs, which might be found sufficient for the purposes of tilling the soil for their Protestant taskmasters. Even that was deemed an evil, tolerated only because unavoidable. Serious arguments are to be found in the publications of the day, whether it would be for the Protestant interest that the Catholic cultivators should be left in their actual position, or utterly got rid of\*. Then as now, there were Sir James Grahams, who considered Protestantism as the only patentee of the rights, liberties, labour, wealth, and intellect of the country. The English Tories added clauses including the Presbyterians, but the Irish Protestant Whig, rather than risk his power of oppression, consented to the base sacrifice. The sacramental test<sup>†</sup> was introduced—half the North disfranchised—Catholic and Dissenter both suffered. The Penal code, as its advocates fondly deemed, was now made perfect. The Oligarchy sat down undisturbed to their plunder, but in the midst of the ruins of their common country.

It may at length be asked, what were the fruits of this laborious system of evil? Who reaped them? What single benefit, palliating if not justifying, issued from this monstrous complication of atrocity? To all parties, to the Oligarchy itself, as well as to the people, to the oppressor and oppressed alike, it was an unfailing, an universal source of every public and private calamity. Did it convert the Irish to English—the Papist to Protestant? Did it draw closer the bonds of affection between the two sister countries? Cultivation was impossible, where there was no recompense for cultivation; when the hand which sowed could not reap, there could be little chance of prosperous harvests; the land, on the authority of all contemporary writers, was reduced to a waste; solitude seemed every where, but peace was no where. Emigrations became numerous and frequent, yet enough remained behind to disturb and alarm; pasturage superseded tillage, manufactures perished, there was no reservoir to receive the surplus of the people; idleness produced famine, ignorance heightened it, both ended in insurrection, and insurrection in projects, and

---

\* This very question was believed to have been debated even in the Irish Privy Council in 1746. Let us hope, for the credit of our common country and our common Christianity, that such things, even in Ireland, are impossible.

sometimes attempts, at extermination. The lower classes without knowledge, without franchises, without land, with scarcely a home, with nothing which truly gives country to man, basely crept over their native soil, cruelly defrauded of its blessings, leaving no other memorial than calamities, under which they bent, and crimes assiduously taught them by their rulers. Vice was preached under the sanction of the gospel, intolerance, by the "free judgment" religion of Protestantism, anti-social doctrines, which would have rent asunder the strongest community on earth, were embodied in the organic code of a free constitution ! The rewards of conformity cast at large the seeds of mutual distrust in the hearts of child and parent ; hypocrisy and dissimulation were applauded and rewarded by the laws themselves ; the statute shut out the conscientious, and admitted only the profligate ; Boulter complains that recusant barristers, a mongrel race between Catholic and Protestant, swarmed at the bar ; the profession of informers was declared " an honourable service " by the House of Commons, that House which listened to the infamous Castration clause, and received petitions against admitting Catholics to the dignity of scavengers ; blood-money, for the capture of priests and schoolmasters, was unsparingly lavished ; the whole country was demoralised by the very body which set itself up as the professed guardian of public morality. In the very bosom of the national legislature, if this oligarchical club could so be called, a nursery for young tyrants was established, debased by habitual subserviency at one side, and by habitual oppression on the other, ready at all times to sell their country to the master above them, provided they were allowed, like the Turkish Pasha, " main basse " on the slaves below. The testimony of an unimpeachable witness, Lord Chesterfield, leaves no doubt, no exception ; the depravity and degradation was universal\*.

The Irish Protestant Constitution in Church and State, it is true, was fully established, but in what way did the Irishman

---

\* " All the causes that ever destroyed any country, conspire in that point to ruin Ireland. Premature luxury outstrips your riches, which in other countries it only accompanies ; total disregard to the public interest, both in the *governed and governors*—a profligate and shameless avowal of private interest—a universal corruption both of morals and manners. All this is more than is necessary to subvert any constitution in the world."—*Miscellaneous Works*, Vol. III., p. 361.



or Protestant profit by its establishment. The Protestant reaped, but the harvest was for the Englishman. He had succeeded in barbarising, in demoralising, in impoverishing the Catholic; but when he came to examine into the works of his hands, he found that he must have this barbarism, and vice, and poverty, which he had so madly created, continually raging around him. He had succeeded in excluding the Catholic from power, and for a moment held sole possession of the conquest, but he was merely a "locum tenens" for a more powerful conqueror—a jackall for the lion—an Irish steward for an English master. The exclusive system was turned against the exclusionist; he had made the executive purely Protestant—the Whigs of George I., made it exclusively English. Whenever resistance was even hinted at to the daring assumptions of supremacy on the part of the English Oligarchy, their brother Oligarchs of Ireland were reminded of their contract, frightened with the ghost of Irish Popery, a renewal of the horrors of 1641, and the resistance, as of old, subsided instantly. Popery fell, but with it fell all national independence. From that day until the year 1782, when the Catholic in some degree again resumed his station in the community, and religious distinctions, hitherto so studiously maintained, were, for the first time, attempted to be obliterated, Ireland was a mere grovelling province, not even governed by her own monopolists, but regulated by the avarice and fears of their English superiors. Such was the courage and patriotism of these Church-and-State defenders, such the spirit and wisdom of these devoted guardians of the national honours and interests. Nor did Protestantism fare more prosperously—its quantity had not increased, its quality had, if possible, deteriorated. It was at last used only as a designation, an uniform, a watchword, just as an orange lily implies Orangeism—an hereditary title to unquestionable mastership. Protestantism was land and power. No Popery! was no Inquiry! no Reform!—If conversion were the object, common sense would have pointed out far other instruments for effecting it than Penal laws. "Faith," says an observant contemporary writer, "whether orthodox or erroneous, is as  
 " the cloak in the fable, which every man wraps the closer  
 " around him in proportion as he is attacked by the severity  
 " of the weather. It is the light of reason, and the warmth

“ of favour alone, which can prevail upon him to relax, or “ cast it aside.” But perhaps the greatest misfortune which could have occurred to the Oligarchy, would have been this very conversion. It would have let in new sharers to the feast. It was not the propagation of religion, but the exclusion of participators in its temporal advantages, which these oligarchical religionists held in view. The tumult at Ephesus in favour of the great Diana of the Ephesians, was only a type of the same spirit. It was not the idol, but what the idol gave, which called forth the crusade of her worshippers—it was not the religion, but the establishment. Ascendency made Protestantism its pedestal, and then attempted to persuade the public, that it was religion and not ascendency which they maintained.

But what was the profit obtained by the Oligarchy? Hear a writer of the time, who had this very system under his eye.

“ When those laws were first enacted, all sorts of Protestants, and all kinds of conformists, imagined that fortune was to fall upon them by wholesale, and that they were instantly to thrive, and to wallow in plenty; they thought that Protestants and Papists were like the two buckets of a draw-well, and that as one descended, the other must mount aloft; or like the twin stars of Castor and Pollux, one of whom could not arise to its height and brightness, till the other had fallen and sunk in night; mark then, with what justice they were punished in the issue. A general face of indolence, dejection, and poverty, spread over the land; all monied men among the Roman Catholics immediately transmitted their wealth to foreign countries, the nation was drained of its cash; trade, commerce, markets, and manufactures failed, in the two-fold want of encouragement to industry, and of a sufficient currency to emulate business. Foreign demands, the crown revenues, and all the usual taxes, were yet to be paid, without the usual funds or supplies for the discharge; the price of lands fell, while, through the discouragement and scarcity of manufactures, the price of all the necessaries and comforts of life rose, at a time when there was the least ability to purchase; and ruin hung over Ireland, like a sky of heavy clouds, when no one knows or observes from what quarter they come. The conformists, I say, at first imagined that they themselves should be benefited and exalted, in proportion as the non-conformists were damaged and depressed; independent of this delusive hope, they were blessed with a concurrence of temporal advantages, that no other people, exclusive of Great Britain, could boast; they were members of the freest and best established system of policy upon earth; as conformists, they enjoyed the chief privileges and profits of the said beneficent constitution; they were indulged with a long, a profound, and uninterrupted peace; they were proprietors of a country, that, with due cultivation, would have plentifully nourished five-fold the number of inhabitants it contained. The legislature, or grand council, which the Protestants now chose from their own body, were unwearied in their studies, endeavours, and experiments, in a variety of laws, and a multiplicity of appointments, for effecting the advancement and opulence of their

constituency; many patriots also arose through the land, solicitous and diligent in the promotion of manufactures, and encouragement of arts, and in transplanting and propagating within the place of their nativity, all branches that were deemed of foreign use; yet, in spite of such a confluence of natural and political benefits, trade was obstinately slow, credit waxed deaf, business stagnated, the land yielded not its increase, deaths and famines became frequent, thousands perished through want, in the public ways or desolate fields, a kind of lazy numbness spread through the inhabitants, no succedaneums, no outward applications, could take due effect, while the disease was unremoved, and continued to prey inward on the bowels of Ireland; the nation was yearly in fear of being bankrupt and beggared, and found itself arrived on the brink of perdition, without knowing how, why, or whence it came there.

"It were an unpardonable defect of charity, to suppose that the legislators who projected or enacted the said Popery laws, could sufficiently foresee the very destructive consequences that have since ensued; be it enough, that by reflecting on what hath happened, we are now enabled to trace these calamitous consequences to their natural cause, and that former errors may be of use in the present case, by serving as an admonition for speedy reformation."—*Brooke's Tryal of the Roman Catholics*, pp. 286, 290.

That cause he alleges to be, the separating the franchises and rights, and therefore interests, of Catholic and Protestant, the very process now recommended, as the only means for securing the tranquillity and prosperity, not of Ireland only, but of both countries.

"Were Protestants enriched and strengthened, and exalted, in proportion as Papists are impoverished, debilitated, and depressed, did we derive any wealth from their yearly exportations of the current cash of that kingdom—did we derive any safety from their discontent and disaffection—did we gain any power from their being divided from us, while they are necessarily continued amongst us; were our national products increased by their want of motives to industry—were our bogs or wastes better reclaimed by their want of incitement to labour—were our coasts the better secured from foreign invasion, because two parts in three of the inhabitants of Ireland are no ways concerned in the defence thereof—were our national dangers lessened, by giving ourselves cause to be jealous of such members, could we hope to gain their friendship by the public acts and expressions of our own mistrust, or could we expect that their having different interests and attachments, would engage them to wish our welfare, or to promote our prosperity, I would be the first man in Ireland to remonstrate and petition against the smallest abatement of the Popery laws."—p. 307—310.

We make no apology for the length of this extract; it was written in 1760, its reasoning, its reproof, its application, is unfortunately still necessary in 1836; it is still necessary we should preach in the high places, the wisdom of union, the necessity of justice, cultivating to the utmost, not by vain words, (with which the Irish Catholic can be no more satisfied than ourselves,) but by honest deeds, the goodwill and

assistance of the Irish Papist, with whom Protestants are unavoidably, though discontentedly associated. Now, as then, "distrusts," and "different interests," and "disqualifications," all the base offspring of puny intellects, and selfish fears, were set up as the "sole promoters" of the national prosperity; now as then, there are English archbishops, and ex-chancellors, Irish undertakers, and Irish monopolists, who would "narrow to party, what was meant for mankind;" and when every vestige of this protecting code is professed to have been thrown down, would still build up, from the rubbish, their crumbling outworks, for "the better defence of English and "Protestant interests."

These wise words, which every preceding, which every succeeding event, has proved to have been so, these truths were spoken in deaf ears and to hardened hearts; the worst fanatics of our own day will not defend this folly of their fathers; they know enough of present public opinion, to know that they might as well defend the frenzies of the Munster anabaptists. A panegyrist of the Penal code, as it existed in 1760, would be deemed, even by his own party, a fit inmate for Bedlam; but this insanity, now recognised unanimously as such, was then termed wisdom, patriotism, "justice to Ireland;" that justice, of which we still hear so much; the justice which takes every thing, and gives nothing; that exclusive ascendancy justice, which, whilst it talks of citizenship and brothership, and Christian charity, and national identity, hates all equality, "bears "no brother near the throne," preaches the gospel over tenantless houses, or human blood, and divides an united nation into natives and foreigners,—they who should be served, and they who are tolerated only that they might serve them; such was the vaunted justice, such the wisdom, which then tyrannised, and degraded, and devastated Ireland. A few years, however, and what was not yielded to reasoning, was forced by necessity. Yet even then, the Oligarchy gave nothing but in a perfectly oligarchical sense. By the laws of Anne, already mentioned, Catholics were debarred from purchasing or leasing land; the Protestants, in the interval, had been spending, not making money; heavy loans, high interest, fraudulent mortgages, wasted or ill cultivated farms, oppressive incumbrances were the consequence; it was necessary at last for the proprietor to sell; but in order to sell, it was necessary

for the seller to find purchasers; the English capitalist kept aloof, the Irish Catholic capitalist (he had made money abroad) was not allowed to bring his money into the market; competition fell, and Protestantism flourished at the grievous loss of Protestant comforts and Protestant prosperity; the Ascendency found, for their *own* interest, they must at last relax; Catholics by the statute of 1776, were allowed to purchase and lease land, that is, to increase the value of Protestant property, by bidding for it; in other words, notwithstanding their horror of Popery, in despite of the risk of making all Ireland Papist, the Protestant landholder consented to receive many times as much from the Popish capitalist, as he ever expected to receive from his Protestant fellow landholders; with Vespasian, he was of opinion that money was money, no matter from whence it came; it was of no sect; "it smelt well," though coming from the corruptions of Popery.

It was this truth, working on oligarchical selfishness, and not the truths which we have just quoted, which laid the first seeds of Catholic emancipation. "It is a code," says Lord Clare, in his speech of 1793, "injurious to the *landed* interest of Ireland, and inevitably diminishing the value of *every* man's estate who voted for it." To raise that interest, then almost exclusively Protestant, and not the Catholic, was the object of the relaxation. One, however, could not be raised without the other: they are both integral portions of the nation.

"The slave is not so likely," said Mr. Grattan, "to complain of the want of property, as the proprietor of want of privilege." Mr. Grattan said right. The Protestants who passed the Bill of 1776, virtually passed the Bill of 1793. The Bill of 1793, virtually gave the Bill of 1829. But not one of these after-steps, now become inevitable, were taken in a generous spirit, or by choice. It was still oligarchy, arrogant, reluctant, beaten oligarchy, from beginning to end. Participation in land (a virtual recognition of citizenship) gave new desires—wealth gave knowledge—both new efforts—these efforts, success—success, the consciousness of power—power, an inevitable impulse to use it. This ought to have been seen—but it was only the inconvenience arising from its progress, that was either seen or felt. The franchise was given to the Papist, merely because the Protestant proprietor in the South wanted to swell his political importance by a greater number of

voters. He relaxed the chain that his serf might work. He took possession of his vote and conscience, as he did of his labour and rent, by indefeasible title—the man, soul and body, according to ancient prescription, belonged to the oligarchy. It was an “honour,” a “concession to the “servant,” to be allowed to perjure himself for his master. But this promotion from a greater to a lesser degradation, was still degradation. The bargain-like Act of 1793 — excluding and admitting — branding and honouring — surrendering like a Jew, and still canting of power to withhold, — not only rendered the Act of 1829 inevitable, but absolutely forced the country to acquire it. Both the Catholic and the Protestant were soon placed in a far more unnatural state than they had ever yet been. The Catholic with means increasing almost as rapidly as his desires, the Protestant, having yielded the principle, and attempting still to struggle for the application — property, knowledge, spirit, union, every day augmenting — elements of physical and moral strength, which even nations combat against in vain — all this arose about the monopolist, with the force of a strong torrent ; he could not check it at its source — what hope had he to check it at its full ? Even the attempts to delay spread the waters wider, and rendered them more impetuous. The delay of Emancipation was the prime cause, organiser, and teacher of Parliamentary Reform. Had there been no Catholic Association, we doubt much, whether there would have been any Political Unions. Men now twaddle about “granting” Emancipation ; it was refused, as long as with safety to the oligarchy it could be refused. The state itself in all its forms was perilled — the constitution shaken to its base, rather than grant it. Even the church — the citadel of the oligarchy — was endangered. The Association, with an organisation such as never yet existed in any country without disturbing all its institutions, reduced government to a sort of pageant, a mere staff, in Ireland. Had Reform been deferred in this country, a similar state of things would have occurred — a constitution would have been sought for without the constitution — the old would have been left with those who persisted in using it — a new one would have been set up by its side — the Club would gradually have drawn into it the mass of the national interests — it would have

become the organ of the national feelings—the Political Union would virtually have dethroned, in public opinion, the House of Commons.

In Ireland, things were nearly brought to this pass ; but it is doubtful whether they would even then have been recognised, had it not been for that very elective franchise, “ conceded ” by the oligarchy for the sustainment of their own oligarchical supremacy. The Waterford, Clare, and Louth electors “ decreed ” emancipation. The Duke of Wellington and Sir Robert Peel certified their decree, and again and again declared that the mind followed not the hand—that they acted under a stern and uncontrollable necessity. The forced concession of land in 1776 was only another form of the forced concession of election in 1793, and the forced concession of eligibility in 1829. It was throughout concession—the pride of a master manumitting his slave—throughout dislike—throughout fear, the manumission wrung from him, sympathy and confidence refused. Nor did this reluctance cease here. If the oligarchy could no longer refuse the statute for their own safety, for their own interests, they had still the power to render it nugatory when passed. Eligibility to power, and office, and election, are different things. The whole struggle from 1829 till Toryism was cast forth, was, how the Relief Act might afford no relief. The emancipation of the legislature was a quite different measure from that of the executive. Words are not things. It did not produce gratitude, because the minister said, in language which could not be misunderstood, that he yielded against his will. It produced a sense of power, because the Catholics felt at every step that what he said was true. It did not satisfy, because the old spirit remained behind ; it did not check, because it doubled the means to acquire new rights. All this is as natural as that an old confirmed ascendancy should be slow in surrendering its usurpations. To quarrel with either result is absurd ; they are in human nature. The true wisdom is to take them as they are. Is this strife an evil or a good ? Is it expedient, or inexpedient ? That is the question. To answer it effectually, we have only to point to the past. Would any man wish to move a single step backward, taking all the disadvantages with all the advantages of such a change ? Does the most frantic anti-papist yearn for the status quo of

1828. Does he imagine the questions now under discussion would become more easy of solution, more likely to be tranquilly discussed, more likely to terminate in satisfactory results, if to the numerous difficulties they involve were superadded all the indignation, and combination, and animosity, which would be the necessary accompaniment of delayed Emancipation? If he thinks otherwise, let him compare 1825 with 1829: and then apply that comparison to 1829 and 1836.

This, however, would be a feeble estimate. No French, no Belgian revolution, had then occurred—no Reform Bill, no Municipal Bill had passed. Neither country knew its inward strength. The lion slept—toryism was not only in its pride of place, but had all the confidence and vigor arising from that pride. Yet, even then, Emancipation was deemed inevitable. English prejudice, still strong, bowed before that necessity. Where is the prejudice which could pretend to resist a necessity grown ten-fold stronger, at the present hour? They who regret the measure, may as well regret the bursting open, by some long-swelling river, of the mountain defile. They who would wish it repealed, must be prepared to retrace, not that step only, but every other which preceded it. They each led—directly, inevitably led—led in despite of the most determined resistance, of the most complete discipline, of the most ingenious policy, to the very end which they deplore. There is no choice between being quite just, and quite unjust. They must crush, or admit to all. The Catholic can no longer be expelled from the legislature, or the bar, or the magistracy, or the grand jury room, or the hustings; he can no longer be robbed of his franchise, he can no longer be robbed of his land. Not even a rebellion could now achieve such change. Yet the grievance to the violent men of the oligarchy is, that this state-trick cannot again be played. It is not possible, as long as the people are masters of their representatives—masters they must be, as long as there is a public opinion and a Reform Act in the land. By what means then is the old position to be regained? By none; and fortunate, even for them that each of these changes have been made. Had not the bill of 1829 passed, we should now be debating a question, not between parties and sects, but between nations. Catholic Emancipation



would have merged in the general question of home or foreign government. There would be neither Protestant or Catholic in the field. The two armies in Church and State would be repealers and anti-repealers. It would be the question of Holland and Belgium.

Up to the period of Emancipation, all national abuses were cloaked under the disguise of No Popery. The country had been engaged in war; a war for hearth and altar—a war which did not allow them to inquire into the means of improving their country; their first object was to save it. Toryism took advantage of both to retard Emancipation and Reform; it succeeded, but from such success, no other party in the state profited but toryism. It would be a difficult thing indeed to calculate how much the country lost.

The Irish Question, throughout, has been, and still continues to be, a contest carried on for the *sole advantage of the oligarchy versus the people*, and is only another shape of that multiform struggle waged at this moment, under similar pretexts, for the same ends, by the same party, in almost every other country in Europe. It is the downward current of old habits and long-enjoyed power, against the upward tide of new claims, and lately-acquired intelligence. The result of such a struggle is not questionable. In popular contests (provided they are carried on with steadiness and temper) the people must succeed. Where blockade and not assault is adopted, the besieged have little chance. The monopolist has to contend against the past, the present, and the future. He cannot recall, he cannot prevent, his power is limited to check—to retard. But this very power requires for its proper exercise, that wide and well-digested experience, and perfect appreciation of cause and effect, which seldom falls to the lot of castes or privileged orders. It is in the nature of privilege to narrow the field of observation, to distort the mental vision, to shut up experience within the precincts of a club, to bound foresight to the men and passions of a day. Such men must mistake (they are scarcely to be blamed for mistaking) temporary for enduring causes—enduring causes for temporary—delay is thus confounded in their minds with prevention. They cannot understand the difference between the fantastic caprices of a mob, rendered drunk by sudden indulgence, and the long-

nursed, staid, and no longer dubious desires, of an intelligent and moral people. To treat each in the same way, is fatal folly. But prevention in such a case as the last, is impossible, even if it were expedient; and to any one who knows whence such a spirit cometh, and whither it goeth, it would be most inexpedient, even if it were possible. "*Bis dat, qui citò dat,*" if true at all, is most true in politics. It is time which really constitutes the difference between a gift and a surrender. Where reluctance is at all visible on one side, there must necessarily be triumph on another; and where there is such triumph in the passing of any measure, there will infallibly be a series of efforts afterwards, to retain the conquest by one party, and to balance it by a reconquest on the other. Thus, what, under other circumstances, would have been a measure of reconciliation and good order, becomes the source of unceasing disturbances, rendering nugatory all good which either party had hoped by the arrangement. The advocates of the measure are indignant to find that it produces so little; the opponents complain that, give what they may, they cannot give satisfaction. The people are told that concession only produces concession—that the stand must be made, and that it is therefore better to make it whilst the vantage ground is still in possession of the defending party. The people, on their side, judging not by the letter of the concession, but by the spirit in which its provisions are translated into act, and fearing, without new guarantees, they may lose, not only the ground lately gained, but their ancient territory, are often compelled, not so much by a passion for conquest, as by a natural anxiety for self defence, to stretch still farther their outposts upon the territory of their enemy. Thus, fear against fear, now as ever, is the cause and continuer of revolutions; magnanimity in parties, still less than in nations, is to be expected; but it is singular, that after such repeated experiments, with almost precisely the same results, parties should not have learnt the lesson, that of all diplomacy generosity is the wisest; and that no treaty can stand, which in spirit as well as word, is not based in mutual interest and reciprocal confidence.

These principles, fairly acted on, are the only true means of settling the Irish Question—they are the only means which

have not been thoroughly tried. We have been in the habit of considering the whole contest as a mere squabble between opposing factions, the paltry riot of a village fair. But when millions of men are engaged, give it what name we please, the struggle is national—national in its wide and profound causes—national in its fearful action—national in its mighty results. To govern a divided nation by sections, may have been easy—may, in the mind of some, have been necessary; but great, indeed, and most perilous the error, to think that the Irish nation is divided at the present time. Division there is, but it is the division between a small part of a small party and the country. To place the pyramid on its point by way of steadying it, and to sustain the cabal against the nation, in the vain hope that it will absorb the nation, are follies of the same kind. Physical and moral nature must be attended to, unless the contriver of machinery, physical and moral, wishes to dash himself to pieces against it, rather than wield it to his behest. If the Irish people were governed as the Irish people, there would soon be no “Irish Question.”

If Ireland is to have any share in the management or control of British questions, if she claims participation in our possessions, and the rights of regulating and profiting by British colonies, a British imperial union is essential. Nay, we may push the question, and state at once, that any two countries so situated, would *a priori* require such union, that without it the management of such imperial affairs would be utterly impracticable; that there would be no choice in fine, between such union, and separation. The link of the *one* crown, whilst there existed at the same time *two* parliaments, would be utterly inefficient. In our days, parliaments and not kings are sovereigns. Such parliaments too, so composed, of such contrasted materials as Irish and English reformed parliaments would be, would not bear, it may easily be conceived, their sovereign faculties very meekly. Such a connection would combine all the evils of junction and separation. Sessions would be wasted in protocolising about insults and injuries real and imaginary. Every interest would live in perpetual terror of change, shifting laws, new prohibitions, sudden bounties, all the miserable self-defence systems of little states, would replace the broad and wise liberality of a great empire.

Between such a wretched life of household jealousies and bold and total divorce, there could be no comparison. The proposition of the one crown and the two parliaments was made in the very crisis of the revolution to Belgium, and wisely refused. There was in her mind no choice between identity, subjection, and independence. In her case identity was impossible—she had no alternative but independence. Were Ireland to be treated in the same way, she ought not to debate the repeal of the Union, but the establishment of the kingdom of Ireland. This would put the question to its true meaning—slavery or liberty. It would be, what the other question is not, consistent. Nor is it on the principle of national security only that both countries should require this organic and fundamental position of a thorough Union. As long as there are imperial objects, there must be an imperial parliament. To protest against it, is to resolve the community into its original elements. Repeal of the Union would not be an acquisition so much of new privileges or advantages, as a sacrifice of old ones. If they are to be sacrificed, it is not for so paltry an exchange; they ought not to be given for anything less than thorough independence.

We have already stated our deep conviction of the overwhelming balance of evil against such arrangement, not merely in reference to Ireland, but to these countries. We think then the Union inevitable, indispensable; we think also it ought to be indissoluble. But to make it so, we know of no means but one—the Unions of England and America, of Spain and Portugal, of Holland and Belgium—were false, limited, unequal. They were guarded, like the Irish, by irrevocable organic acts on paper—but the sanction of these laws was not in human hearts, but in the prisons and bayonets of the stranger. Keep Ireland united to England, govern her equally with England that she may continue united; these are the two first positions essential to the adjustment of the Irish Question. But what is this equality? a “*dignus vindice nodus*,”—and how is it to be maintained?

The Lords say that what may be justice to one community may be injustice in reality, though retaining the same name, to another. They say truly: but who are to be the judges of the case—the nation itself, or those who would prescribe for

the nation? No evidence has been given to prove that the Lords' justice is the justice which the people of Ireland demand, when they claim to be governed with the same justice as the people of England.

It is not denied that, abstractedly, the people have a right to manage their own affairs—that these affairs are best managed through municipal councils, chosen by free election—that the old corporations were utterly unfit, both by constitution and character, for such duties—that the old corporations ought to be got rid of, and representative corporations be substituted in their place. All this is abstract, unapplied, theoretic justice; but the moment it is attempted to give life and activity to this theory, the moment that this justice is sought to be worked into law, it is discovered—not that any one of the positions are false—not that any one of the facts on which they are grounded are erroneous—no, but that the people who are so to govern themselves, are chiefly Catholics, and *therefore* are unfit for self-government.

We hold a different doctrine. The point with us is, that the people should act for themselves, and not for their masters; the many for the many, and not for the oligarchy. We care little what their religion may be, we only ask what they are. If they be of one creed and the oligarchy of another, it cannot be helped. That is no longer a reason why the oligarchy should govern, and the people not. If it be, our whole government at this moment is solecism—a solecism, too, which defies correction. It is useless to erase, or to alter; the book should be thrown into the fire. This very same reason ought to exclude Catholics from every one situation to which Catholics are eligible. This was the faith of the old oligarchy; this also was their practice—the practice they have been *compelled* to relinquish—the faith they appear to be ashamed of, with all their horror of the “abominations of the Egyptians.” Would Sir Andrew Agnew, or Sir Robert Inglis, move for the exclusion of the “Papist Perjurers” from the House? Certainly not. With what consistency can they move for their exclusion from Corporations? They take a middle turn: they do not exclude—but they leave no Corporations to be excluded from. Despotism, rather, as Lord Holland strongly put it, than equality. Why not carry it on, however, a little further? why not propose that the House of Commons be suppressed,

lest the Papists and Propapists should wield the majority? This may seem in England an absurdity—it may be much doubted, however, whether it would have been considered so in Ireland, by Irish Orangeists. More than one of that number would rather have Protestant absolutism than Popish liberty. Such was the jealousy which dictated half their sacrifices of the nation in former times to the party—sacrifices like that which the people of Denmark proffered to their sovereign in hatred to the nobles—they cared not how they bowed, so their adversary bowed with them. *All* the Corporations of Ireland were not formerly Popish, but all were remorselessly swept away by Protestant hands, rather than that any, by any chance, should become Popish. Into the total fallacy of these grounds of apprehension we need not now enter; proofs we have abundant, to shew that the result (admitting the full action of sectarian feeling) would be very different indeed in the large towns from those contemplated. We confine ourselves solely to the principle. For this principle, not Ireland only, but each and all of these countries—should, as they value the very essence of the English constitution, contend unto the death. What we want in any representative body are not sections, but the country. If the mass of a country, or a town, or a village, be Catholic, let the representation (if it is to be a representation) be Catholic; if Presbyterian, Presbyterian; if Protestant, Protestant. Why not? Is not religious opinion a portion of public opinion? And what sort of governing machine is that which will not act in conformity to public opinion—which will not, or cannot, reflect public opinion, or which affects to do so while it sedulously excludes so large a portion of its elements. It is apprehended Catholicism will swallow up Protestantism. This could not be, unless the nation were so decidedly Catholic as to leave the Protestants in a miserable minority. It could not be, unless the nation were a Catholic nation,—and if it were, is there any reason why it should not be so? why a Catholic nation should not govern itself? Any other course would be a wrong course. It doubtless would be easy to maintain for a while the old names, and to call such a state Protestant. But it would be a perilous absurdity—common indeed in history, but not the less fatal.

Countries are governed for years under false names. In the very heart of the empire, the terms and forms of republican Rome were heard in the palace of the Cæsars. So we heard of English liberties under the sway of our early kings, and of the Irish nation under the Orange ascendancy. The present cant, the present false name, is the "Church of Ireland," and the "Protestant Constitution." Our king is Protestant, our spiritual peers are Protestant, the majority of the temporal, item—the great mass of the Commons, item—but there is no longer any such thing as a Protestant constitution. The constitution is British, a Protestant-Presbyterian-Catholic constitution. We might as well talk of Protestant statutes, Protestant tribunals, or Protestant railroads—the day the Catholic obtained the elective franchise, that day the constitution, in ceasing to be exclusive, ceased to be Protestant. So also with the anti-Irish Church, misnamed the Church of Ireland—Ireland is not Protestant in any one sense or particular. She is thoroughly and permanently Catholic. In the sense of things, of realities, and not of shadows, and names, and cant, ought Ireland to be governed—as Catholic, as the people, and not as Protestant, not as the oligarchy.

This principle not merely avowed, but frankly, and firmly, and fully acted upon, would, in our minds, be equality and justice. It would be the justice of fair dealing—the equality of an equal member of the British confederation. If the Lords feared to do injustice under the names of justice, why is it that, under a British constitution, they enforce exclusion, and under the name of a national church, they impose a church which is not of the nation? These indeed are blessings very different in reality from what they appear in name. But if the Lords choose to delude themselves, it is impossible to delude the people. Erect what barriers they please—realities will force themselves through all their paper machinery.

The Municipal Corporation Bill, is only one exemplification of this contest between men who wish to govern by names, and men who wish to govern by things. It is conspicuous in every other chapter of Irish government.

Strongly asserting these principles, thoroughly convinced that they are the only ones upon which anything like a homogeneous, stable, common-sense government can be founded in

any state upon earth, but especially in such a state as Ireland, their application at once becomes comparatively easy, though carried out to its utmost consequences.

To its utmost consequences, we do confess, we would carry it. Ireland wants in the whole of her political and social system—reorganisation, and readjustment. She wants a much more harmonious—a much more applicable—system of administration—a system more in conformity to the first principles of British freedom, to the great end of government, to the exigencies and character of the present times. Her lord lieutenant, her privy council, her grand jury, her municipal system, are all anomalies, all belonging to by-gone inventions, the spirit of which is rapidly departing, though the simulacrum, the larva, remains behind. When the legislature disappeared, it was natural to expect the executive would have disappeared also. It was retained principally with a view to bear out the jobbing machinery of the Union. In this it succeeded. Since the passing of that measure, sixteen viceroys have passed in pageant-like procession before the country—the average vice-reign of each has not been more than two years! Their whole object was to satisfy the dominant faction; the great principle of all Irish governments being that Ireland could be governed only by parties\*. Every lord-lieutenant who came in had to make use of the machinery of his predecessor. He had to work with the old tools, and had not time, nor energy, even if he had the wish, to change them. The country looked on him as the head partisan in the state: whilst he saw nothing of the country, but through the haze and distortions of Kildare school inspectors, partisan magistrates, and an oligarchical police.

The present Viceroy, in some measure, vindicates this arrangement from its most flagrant abuses. He governs up to a certain point, and works out his own mind, under all the misconceptions and mis-statements of Irish parties. He has in his secretary an officer under him, and not a viceroy over him. They do not exemplify in their internal dissensions, the evils of governing by dividing a country. The present moment of

---

\* One of the most remarkable ministers that ever governed Ireland, declared that he cared not whether it were Catholic or Protestant, so she were governed by a party.



transition requires too a firm hand and a keen eye. For some years longer Ireland may tolerate a Lord-Lieutenant, requiring, as she still does, even a superior description of Lord Mulgrave.

The privy council is a pageant or a band of conspirators, as the case may be. If the Lord-Lieutenant really rules the country, they are his train; if he either will not, or cannot, they become his masters.

The bench is now Tory, but the judges are old, and time will cure the infection. There is much talent and sound principle combined in the upper ranks of the bar; the government know the men, and are compelled, by the very force of circumstances (for which, by the way, they claim inordinate merit) to promote them. The guarantee they give for the future bench of Ireland is sufficient. As a matter of course, it will gradually grow into harmony with the country.

To provide some substitute for the Lord-Lieutenant and Privy Council absurdity may appear difficult. There is no reason why the two secretaries, and a permanent board of administration, on a plan somewhat more extensive than that of the Duke of Ormond's, might not be sufficient. This board, divided into sections, or sub-boards, for works, charities, and education, would combine, in great part, the control and administration of the highest interests of the country.

The fiscal duties of grand juries should be transferred to County boards. The efforts made, year after year, to piece up, out of the old materials, something which shall answer the purposes of a representative body, and shall still be neither representative or elected, are indeed melancholy and ludicrous. The grand jury cess amounts to nearly a million a-year, almost one fourth of the revenue of Ireland. How absurd, how inconsistent, to insist that not a shilling of the public revenue shall be raised without the consent of the representatives of the people in parliament, and yet entrust to nominated bodies the levying and applying not a single shilling, but thousands of pounds!

The principle of self government and self assessment, not merely involves thorough municipal reform in towns, but also demands that such organization should be carried out to the village or parochial vestry or committee. Each of these bodies would work with the other, the feelings of the village com-

mittees, the county boards, or town councils, would be understood, and answered in the board of administration.

The first indispensable requisite, to carry into correct and satisfactory operation the objects entrusted to these bodies, is a proper division of territory, and an accurate territorial valuation. This accomplished, legislation, in each branch of civil and ecclesiastical reform, should begin on a broad and firm plan. It would be easy. The oligarchy would be removed, and popular and national means substituted for effecting popular objects. The physical, intellectual, and moral improvement of the country, essentially interwoven as they are, should go hand in hand. The great mode for effecting the two latter is religious and intellectual education, under the form of a church, and a system of public instruction. For each of these departments, separate, complete, well-digested, well-arranged codes should be passed by the legislature. There should be a church or ecclesiastical code, an education code, &c., each divisible into as many bills as might be requisite, but all forming clear and intelligible parts of a well-adapted whole. The lawyer might, perhaps, lose by this simplicity, but what ought to be the object of the legislature would be attained.

The great length to which this article has extended, precludes our entering, in detail, into any of these arrangements for the present. We reserve them for future inquiry. They admit of great and highly-interesting development, and in proportion as they are developed, their harmony with each other, the aid which they are calculated mutually to afford, becomes more and more obvious and important.

In each stage of this re-organization, opposition from the oligarchy must of course be expected; it is in substance and form, in principle and application, anti-oligarchical: it aims at giving national rights to the nation, and rescuing them from parties, no matter of what hue. No surprise then should have been evinced at the late proceedings of the Lords—they have their system; to which they are consistent, and let the people have also their's. The only point is, which is the stronger, which the most persevering, of the two combatants. The decision is not a question of reason, but of mere resolution and power.

The chief ingredient in the strength of the peers is the King. He is at this moment, perhaps, the most powerful element in all the ordinary movements of legislation. The Houses, and the parties in each House, are so balanced, that his weight, thrown into either scale, is decisive. It is the knowledge and fear of this, balanced with an equal fear of the people, that gives both parties so many hopes and fears, so many diagonal movements, not explicable on the principles of either. The occasional stands, the abrupt checks, the wavering vigour of the ministers, are its most obvious results. They are the more natural, as few men have in politics, no more than in religion, "a whole" well fixed in their mind. The whole of the ministers, is rather a collection of fragments, scraps, and patches of legislation, suggested by the circumstance of the moment, than a general plan, each part of which, though followed out separately, is in perfectly just relation to the rest. This is not the fault perhaps of the men, but of their position and education. The majority of our statesmen are precipitated into public life, before they have an idea of what legislation and government ought to be; they are obliged to talk so early, that they seldom have time to inquire, see, or think. The party-struggle stifles the country. The measure under debate is good, in proportion only as it is calculated to keep them in, and their adversaries out. The application is not sought to be put in accordance with the principle; but a principle is sought, here and there, in this emergency or that, to justify the application. Expediency, which, after all, is seldom so expedient in the long run as straight-forward, clear-sighted, high-minded policy, is the great rule, and a miserable little rule it is. Thus the people in the "parterre," are constantly in a state of disappointment or surprise at transitions on the great stage, for which they can find no assignable cause — the cause is quite adequate, and constantly acting; but it is behind the scenes.

Their opponents on the other side are not in less dread and difficulty; they hate, but believe in, the opposing power—the people. Their desire of power is stronger, their pretensions to it, far more arrogant, their sacrifices for its retention far more flagrant, than that of the ministers. When the Lyndhurst administration was in vain attempted, no one was surprised at

the right-about movement of the Duke of Wellington, to that very reform which he had denounced as a subversion, absolute and immediate, of the constitution, a few weeks before. No one can forget the manifesto of the Peel government, not equal indeed to the demands and temper of the times, but far beyond the principles of even moderate Toryism; concession of Church Reform, concession of Municipal self-government, concession of National Irish Education, all as reluctant probably as Roman Catholic Emancipation; but all anti-Tory, all anti-oligarchical, all in direct contrast, not only with this or that profession, but in open abnegation of the very cardinal dogmas of their creed. Giving as they do, not on principle, but on expediency, more for the moment than for all time, the moment slips from them whilst they are meditating how, at the least sacrifice of ancient power, they may meet it, they are thus always behind public opinion; if they move at all, it is only because they are dragged at its heels.

It is to this power, and to this alone, that both countries should look up. It will every day become stronger, both for kings, parliaments, and parties. Steam mingling our scattered population, into one great city—the press giving to this immense mass, a new spirit and intelligence, and multiplying a power hitherto formidable, beyond any calculation of present men,—ought to leave little doubt even amongst the most despondent, of the ultimate, we should say the early triumph, of broader, wiser, and more generous systems of government and legislation. And if we extend, as we must extend, such influences from our islands to other countries—if the same causes which enlarge and strengthen public opinion here, must still further expand and invigorate it on the continent, with what hope, what chance of success, can any party, even of this empire, battle against a power thus become European, or think to set itself up against the will and decision of civilised humanity? In this tribunal we do confess we thoroughly confide. It is this sense which forbids all violence, and must prepare the ways for full and perfect regeneration; and, through such regeneration, for the quiet and honourable victory of public opinion. It will, whether ministers or oppositions decide so or not, settle finally and satisfactorily the Irish question. It will blend the hearts, as it has already done

the races of the three countries; make the Union a truth, and a good; found the interests of a common nation on common rights; rule the people through themselves, and not through factions; teach, not through ears and eyes, but through the spirit and the understanding; substitute equality for ascendancy, justice for partisanship; and make the gospel, a religion not of dogmas but of actions; clear away pauperism by giving a stimulant for industry, till morality increasing with intelligence, and intelligence with new franchises and augmenting wealth at last vindicate Ireland from the "*foedum crimen servitutis*," and England from that still greater shame of being the deluded instrument of an oligarchy in tyrannising for its own ends, to the utter injury of both countries, over a generous and intelligent people. The Church Bill, the Municipal Bill, the Poor Law Bill, the Education Bill, will be the steps marking this transition from the crooked and huxtering policy of the past, disgraceful to the most pettifogging little village, to a large and generous policy worthy of a strong and noble nation. We do not then participate in the impatience, much less in the despondency of those who think that these are questions which can be indefinitely postponed, or can be in any wise curtailed by such postponement. The opinions, or conduct of individuals are not to be balanced for an instant with the intrinsic force of things. If there be violent and talkative men in the country, who oppose, for a time, such arrangements, we must also recollect there is a large mass of the silent and the steady, of the resolute and intelligent, which will in due season make its influence felt, even by the loud and insolent. The country at large, whatever individuals may be, is not an adventurer; it will reason, and act reasonably. Circumstances of themselves will compel it. The Irish question, we repeat it, must soon, and definitively, and satisfactorily be settled, for the glory, and honour, and prosperity of both countries. Already has England, by a just retribution (states, no more than individuals, can act unjustly with impunity), received into her own bosom the overflowings of that vial of wrath which she has, for so many centuries, been filling up for her sister. Debt on debt, fear on fear, danger on danger, is the miserable retaliation. Ireland, in our proudest moments, in our hour of triumph, has been there beside us, wretched but

strong, oppressed but discontented; to remind us, like the Roman slave, of our mortality. She has flung the contagion of her pauperism and degradation on our richest cities, palsied our strength, and poisoned our most luxurious enjoyments with distrusts and apprehensions—with wars and rumours of wars. Is this the power, and glory, and security of England? Why should the affections of subjects be deemed the best throne for free institutions in this country, and the fears of subjects the only one sought for, or looked to in Ireland? Is this seat of all misgovernment, is this house of anarchy, this academy of despotism, to be kept up for ever as a fitting political school for our young statesmen? Is this the education which is to bring fruits of blessing in due season on our land? Are these the “Roman arts” which are to preserve and wield the powers of a free constitution? The time is surely come, when England herself must answer the question. Neither riches, nor learning, nor numbers, nor fame, nor power, can solve it. There is but one secret, but one only. It is simple, but mighty—the wisdom of substantial, impartial, universal justice. England has every blessing that intelligence, industry, wealth, can claim, that all the nations of mankind can fling into the lap of the first nation amongst them—she wants but one other—wanting which, she wants every thing—having which, she has every thing—DOMESTIC PEACE. How is she to obtain it? By giving it. Such has been the inflexible law from the birth of the world, it is vain for her to expect an exemption.

*Seneca.* “Signor del mondo, a te che manca?”

*Nero.* Pace —

*Seneca.* L' avrai, se ad altri non la togli.”

END OF N° V. VOL. III.

**LONDON:**  
**PRINTED BY T. BRETTELL, RUPERT STREET, HAYMARKET.**

THE  
BRITISH AND FOREIGN  
REVIEW;  
OR,  
EUROPEAN QUARTERLY JOURNAL.

---

"In primisque hominis est propria veri inquisitio atque investigatio."

CICERO DE OFF.

---

N° VI.

LONDON:  
JAMES RIDGWAY AND SONS, PICCADILLY.



# C O N T E N T S

OF

## N<sup>o</sup> VI.

### ARTICLE

Page

I.—*The Speech of P. M. STEWART, Esq., M.P., in the House of Commons on Wednesday, April 20, 1836, in support of his Motion on the subject of the Aggressions of Russia.*

*Report of the Commerce of New Russia, Moldavia, and Wallachia, under the Russian Government in 1835. In pursuance of an Investigation undertaken by order of Count Woronzow. By JULIUS DE HAGEMRISTER. Translated from the original, published in Russia, by J. F. Triebner.*

*A Statement of Facts. By a Resident at Constantinople. Second Edition.*

*Turkey and Russia; or, Observations on their Political and Commercial Relation with England. By a Merchant.*

*Sketches in Greece and Turkey, with the present Condition and future Prospects of the Turkish Empire.....* 305

## ARTICLE

- II.—*A Journey from India to England, &c., in the Year 1817.* By Lieutenant-Colonel JOHNSON, C.B.  
*Personal Narrative of a Journey from India to England, &c., &c., in the year 1824.* By Captain the Hon. GEORGE KEPPEL.  
*Travels from India to England, &c., in the years 1825-6.* By JAMES EDWARD ALEXANDER, Esq.  
*Narrative of a Journey into Persia, &c., in the year 1817.* By Captain MORETZ VON KOTZEBUE, translated from the German.  
*Fifteen Months' Pilgrimage through untrodden Tracts of Khuzistan and Persia, &c., &c., in the years 1831 and 1832.* By J. H. STOCQUELER, Esq. .... 335
- III.—*The British Association at Bristol.* ..... 362
- IV.—*Documens statistiques sur la France, publiés par le Ministre du Commerce, 1835.*  
*Journal des Petites Affiches.* Paris: Juin et Juillet, 1836.  
*Plan du Chemin de Fer de Paris à St. Germain (Seine et Oise.)*  
*Plan Cadastral de la Commune d'Argenteuil (Seine et Oise.)* ..... 375
- V.—*Copy of the Fifth Report made to His Majesty by the Commissioners appointed to inquire into the Practice and Proceedings of the superior Courts of Common Law.* Presented pursuant to an Address, dated 2nd May, 1833. Ordered by the House of Commons to be printed, 3rd May, 1833. .... 400
- VI.—*Russia.* By a MANCHESTER MANUFACTURER.  
*The People of Russia, and the Policy of England.* ..... 446

- VII.—*Pelham ; or, the Adventures of a Gentleman.*  
*The Last Days of Pompeii—Rienzi, the Last*  
*of the Tribunes.* By the Author of *Pelham*.  
*O'Donnell, &c. &c. &c. The Princess ; or, the*  
*Beguine.* By Lady MORGAN.  
*The Wife and Woman's Reward.* By the  
Honourable Mrs. NORTON.  
*The Two Friends.* By the Countess of BLES-  
SINGTON.  
*The Disinherited, &c. &c. The Devoted.* By  
the Authoress of *The Disinherited, Flir-*  
*tation, &c.*  
*Mothers and Daughters.*  
*Mrs. Armytage ; or, Female Domination.* By  
the Authoress of *Mothers and Daughters* ... 477
- VIII.—*Spain—The late Revolution* ..... 510
- IX.—*Ministerial Changes in France* ..... 551
- X.—*Report of a Committee of the Manchester Sta-*  
*tistical Society, on the State of Education in*  
*the Borough of Manchester, in 1834.*  
*Ditto ditto in the Borough of Salford, in 1835.*  
*Ditto ditto in the Borough of Bury, in 1835.*  
*Ditto ditto in the Borough of Liverpool, in*  
1836.  
*Report from Select Committee on the State of*  
*Education, with Minutes of Evidence, 1834.*  
*Rapport fait au nom de la Commission chargée*  
*de l'examen du Projet de Budget pour l'exer-*  
*cice, 1837. (Ministère de l'Instruction*  
*Publique.) Séance du 18 Mai, 1836.....* 564
- XI.—*A Letter to a Constituent on the present State*  
*of Affairs.* By H. L. BULWER, Esq., M.P.  
*Speech of the Right Hon. LORD LYNDBURST,*  
August 18, 1836..... 603

# THE BRITISH AND FOREIGN REVIEW.

---

## ARTICLE I.

*The Speech of P. M. STEWART, Esq., M.P., in the House of Commons on Wednesday, April 20, 1836, in support of his Motion on the subject of the Aggressions of Russia.* London: 1836.

*Report of the Commerce of New Russia, Moldavia, and Wallachia, under the Russian Government in 1835. In pursuance of an Investigation undertaken by order of Count Woronzow. By JULIUS DE HAGEMEISTER. Translated from the original, published in Russia, by J. F. Triebner.* London: 1836.

*A Statement of Facts.* By a Resident at Constantinople. Second Edition. London: 1835.

*Turkey and Russia; or, Observations on their Political and Commercial Relation with England.* By a Merchant. London: 1835.

*Sketches in Greece and Turkey, with the present Condition and future Prospects of the Turkish Empire.* London: 1833.

RUSSIA is daily aiming at the assassination of British commerce from beneath the cloak of her Turkish vassal. The petition of the merchants engaged in the Levant trade, on which Mr. P. M. Stewart founded the speech which we have placed at the head of this paper, exposes the continued series of these encroachments made by Russia upon our commerce

with Turkey. It does so on the most sufficient grounds. We have no hesitation in saying, that if adequate redress for this grievance be not applied in the most prompt, decided, and skilful manner, the channels of our commercial intercourse with regions illimitably abounding in all the sources of mercantile wealth will be finally closed against us. Every day's post brings intelligence of some new step taken by Russia towards her favourite object—*commercial sovereignty at Constantinople*. Every fresh masterstroke of her ambitious policy more clearly unveils her purpose of producing a *commercial revolution*, which must eventually despoil England of the boasted sovereignty of the seas, and keep her in a continual state of alarm for the safety of her Indian empire. On the threshold of the inquiry we perceive an obvious remedy. That remedy is to impart a physical training to Turkey, so as to enable our combatant (for so she would be under a proper course of policy) to enter the arena with well braced sinews, against her gigantic enemy. The means are simple and in our hands: *First*—To strengthen Turkey by taking advantage of her principles of free trade, and by encouraging imports from the Levant (where alone there are the dormant elements of great commercial profits), and thus to create and force new demands and vents for British commerce: *Second*—To improve the present defective consular organization throughout the Levant. The opportunity for the last remedy has fortunately been just presented to us by the bill brought into parliament at the close of the session; namely, for better defining the powers and jurisdictions of His Majesty's consuls in the Ottoman dominions. We have made Mr. P. M. Stewart's speech the basis of our observations, because it supplies the arithmetical data for forming a just appreciation of the state of the Levant trade, while it argumentatively urges the expediency of its protection and improvement. We have added the three lately published pamphlets to our opening list of text works, because all three supply the most novel, fair, and trustworthy views, which we have seen, of the growing resources of Turkey. It is not our intention, however, to do more than refer our readers to them, since they are only generally and not specifically connected with the subject we have taken in

hand\*. The recent work of Hagemeister we have placed with the others; not because it affords any peculiar information with regard to the Turkey trade, but because it supplies additional evidence of the aggressiveness of Russian commercial policy in the East. In exaggerating the growing importance of the Russian trade in the Euxine, it merely exhibits a brotherly affinity of character to the writings of all that cordon of stipendiary agents which Russia employs in all the stations of Europe to disguise, palliate, or defend her avowed or secret machinations. The following passage of this work is, however, worth extracting, on account of the hint which it gives of her desires and projects as regards the newly developed transit trade with Persia and India :—

“ The difficulties of conveyance, which now enhance the price of goods, being once removed by foreign capital, the merchants of Russia will no longer be obliged to make advances to purchasers, or to sell at long credit, for these will either have enriched themselves, or will readily find credit elsewhere. Russian commodities, that are now sold at Tiflis from 50 to 80 per cent. dearer than at Nishnei Novogorod, will admit of being sold at an advance of from 10 to 15 per cent. upon the prime cost. Vessels which have hitherto made the route of Africa to obtain the produce of India, will enter the Black Sea, the passage to which has been opened by Russia. Who can then calculate the advantages which this increased prosperity will present to our provinces of the South ? ”—  
(*De Hagemeister's Report to the Russian Government*, p. 214.)

The advantage of promoting to the utmost our amicable relations with Turkey has been long felt by practical politicians : nor does there occur any more obvious means of drawing tighter the bonds of a connection daily becoming more indispensable, than by an effort to encourage, or in plain words to revive, our languishing trade in the Levant. In order that

---

\* To these sources of information may be added, *First*—Beaujour: *Tableau du Commerce de la Grèce*, 2 tomes, 8vo. Paris: 1800. *Second*—*Tableau Général de l'Empire Othoman*, par M. D'Ohson, 3 tomes, fol. Paris: 1820. *Third*—*Survey of the Southern Coast of Asia Minor*, by H. M. S. Friederickstein, made by order of the Lords Commissioners of the Admiralty, fol. London: 1820. Of these, the work of Beaujour refers only to a portion of the Levant trade, *viz.* that of Greece; but as far as relates to that, it is authentic and complete. The work of D'Ohson gives a more general view, not only of the entire commerce, but of the jurisprudence and all the institutions of the Turkish Empire: it should be in the hands of every man connected with Turkish trade, and especially of diplomatists and residents, whether political or commercial, in Turkey. The information which this work contains is elaborately authenticated, and at once minute and comprehensive.

there may be no misunderstanding as to our views on the subject we have taken in hand, we shall begin by saying, that it is to the Turkish trade only, and to the various considerations, political and commercial, growing out of it, that we mean to confine this paper. The present session of parliament has enabled the public to become more familiar, than it was, with the importance and condition of this trade. The old Levant company, established in the time of Charles II., may be said to have died a natural death. Nevertheless, the trade of individuals has within the last year or two been considerably on the increase. In order that we may not appear to make this assertion without sufficient proof, we extract the following evidence from a hostile authority. We copy the article from the supplement to the *Augsbourg Gazette* of June 6, 1836, merely remarking, that the whole of the article is of Russian fabrication:—

“The English trade to Syria was commenced in 1833. The amount of goods sold was hardly 40,000*l*. In the following year three English houses were established, at Beirout, Damascus, and Aleppo. By the end of October, five cargoes of merchandize and goods from Liverpool had arrived at Beirout, and were speedily sold. Last year there came twenty-three English merchantmen, besides a number of Ionian and Maltese vessels, which before seldom used to visit the ports of Syria. The sales amounted to 371,000*l*., and the profit was 23 per cent. New channels for the disposal of these goods continue to be sought, so that in a short time the whole trade of Syria will be in the hands of the English.”

The above *hostile* admission of the value of the British trade to one portion only of the Levant is quite sufficient preliminary evidence to justify our entering upon the subject. On Thursday, April the 14th, a meeting of the British mercantile interest, connected with the Levant trade, was convened at Lloyd's, and strong resolutions were passed in favour of the policy of encouraging imports from Turkey. For the purpose of giving effect to these resolutions, a committee was then formed, which we believe to be now sitting. The meeting at the same time agreed to forward a petition to parliament for the better protection and extension of the commercial interests of Great Britain in Turkey. This petition, and one to the same effect presented by a large body of the merchants of Glasgow engaged in the Levant trade, constituted the ground of Mr. P. M. Stewart's speech on April 20th on the subject of the aggressions of Russia. This

was one of the most useful oratorical efforts made during the recently concluded session. In consequence of that speech, we believe that a consul was appointed to Cracow, but his reception, on what sufficient pretext we cannot imagine, was resisted by the three protecting powers. A renewed alacrity on the part of His Majesty's government in defending the vital interests of our commerce with Turkey has been stimulated and manifested. Mr. P. M. Stewart, in his speech, gives the following succinct statement of the trade between Great Britain and Turkey, including the Euxine and Persia :—

“ I have here a statement of the quantities and values of British manufactures exported to Turkey from 1827 to 1834, inclusive; but I will not trouble the House with the whole detail. I shall restrict myself to giving what appears to me sufficient to demonstrate the rapid increase and present value of the trade. I shall take the two staple articles of cotton cloth and cotton twist: of these we exported to Turkey—

	<i>Cloth.</i>	<i>Twist.</i>
In 1827 . . . . .	11,560,172 yds.	647,094 yds.
1828 (a year of war) . . . . .	4,719,481 „	156,860 „
1829 . . . . .	15,366,350 „	662,538 „
1834 . . . . .	28,621,490 „	1,989,851 „

The value of these manufactures amounted—

In 1827 . . . . . to . . . . .	£.531,704.
1828 . . . . . „ . . . . .	185,842.
1829 . . . . . „ . . . . .	568,600.
1834 . . . . . „ . . . . .	1,207,941.

The rapid increase is the most striking feature in these statements; and that this should take place, notwithstanding, and in spite of all the machinations of Russia, and all the internal arrangements consequent thereon, proves strikingly the inestimable value which such a trade must reach if fairly fostered and protected. The imports from Turkey are but trifling, owing partly to the interference of Russia in monopolizing the silk; but still more to our own unwise restrictions by means of high prohibitory duties on the staple productions of those countries. The imports of silk and sheep's wool amounted—

	<i>Silk.</i>	<i>Wool.</i>
In 1827 . . . . . to . . . . .	358,757 lbs.	315,807 lbs.
1834 . . . . . „ . . . . .	419,368 „	1,474,322 „

The total quantity of cotton manufactures exported from the united kingdom in 1834 amounted to 555,723,809 yds., valued at 14,157,252*l.*, of which Turkey took 28,621,490 yds., and paid 828,325*l.*, making one of fifty places to which we regularly export such goods. I would now direct attention to the comparative value of shipments of British manufactures made to Russia and Turkey. Before doing so, however, I must allude for a moment to the tariff of Russia, in order to assert, which I do without fear of contradiction, that it is as manifestly hostile and restrictive toward England as the commercial code of Turkey is open, liberal, and free. The tariff of Russia has been closing gradually upon us just as she



became independent of our supplies, and now it amounts to one almost unbroken enumeration of articles prohibited. The value of our manufactures sent to Russia and Turkey was, in 1829, to Russia 1,408,970*l.*, Turkey 531,704*l.*, of which cotton twist amounted to Russia 933,204*l.*, Turkey 39,694*l.*; in 1834 to Russia 1,382,309*l.*, Turkey 1,207,941*l.*, of which cotton twist amounted to Russia 1,037,533*l.*, to Turkey 109,723*l.*; thus proving that the export trade to Russia has declined about 13 per cent. (in 1832 it amounted to 1,587,250*l.*), whilst that to Turkey has increased 100 per cent., and the exports to Russia must still greatly diminish, of which this year's returns will, I fear, furnish a melancholy proof. It will be observed, that cotton twist forms almost the whole export to Russia. This, in fact, is but a sort of half manufactured article, and is admitted by Russia solely to enable her to complete the manufacture, and to compete with us in the markets of Turkey and Persia. Already she has become independent of certain qualities of our twist, and these accordingly are prohibited; and such is the conviction on the minds of our intelligent merchants engaged in the export trade to Russia of the hostile policy of that country towards us, commercial as well as political, that one eminent individual whom I will not name, but who is well known to my Right Honourable Friend the President of the Board of Trade, who has hitherto exported more than one-third of the whole quantity of cotton twist sent to Russia, has refused this year to send a single pound; and another individual, whom I know, and whose export trade was nearly to the same extent, is now on his way, I believe, to Moscow, full of alarm, and determined to discontinue this part of his only remaining trade to Russia. Now I beg that it may not be said that these fears have been caused by proceedings in parliament of a nature similar to mine this evening. This is not the case. The alarms of these eminent merchants have been gradually rising for the last three or four years, and the recent conduct of Russia in the North and in the South has roused them to the determination they have come to. But to return to Turkey. The shipping employed in that trade is all British, and amounted in 1831 to 28,249 tons—in 1832 to 28,882 tons—in 1833 to 24,831 tons—and in 1834 to 20,789 tons. It seems to have declined in tonnage during the last two years, although the value of our exports greatly increased, which would go to prove that the people of Turkey and Persia now take a superior quality of manufacture from us. The foreign tonnage increased about 1000 tons during the last two years, which partly accounts for the falling off in British shipping; but even as it is here stated it equals in amount the tonnage employed in our China trade. I am aware that the shipping employed in the Russian trade is nearly ten times more than that engaged in the trade to Turkey; but let it be remarked, that our ships go empty to Russia and return full, whilst the very reverse is the case with Turkey; unfortunately, I add, they are obliged, by our bad policy, to return empty from countries which take liberally from us of our most valuable manufactures, and which could, if we would, give us as liberally of their raw and staple productions. The Turkish manufactures have given way and declined before the abundance and cheapness of our own. Of 600 looms of muslins busily employed at Scutari in 1812, only forty remained in 1831; and of 2000 weaving establishments at Tournovo in 1812, only 200 remained in 1831. The transit trade carried on through Trebizond, which is our inlet to the extensive districts of Armenia and Persia, is likewise very important, from its rapid increase and great extent. In 1830 it consisted of about 5000 bales, valued at 250,000*l.*; in 1834 it had increased to 12,000 bales, valued at 600,000*l.*; and in 1835 it amounted to 19,300 bales, valued at 965,000*l.*, notwithstanding both the cholera and the plague raged

there and in the parts of Persia commercially connected with it during 1835. Thus, in five years, 1830 to 1835, the trade increased 140 per cent; in the sixth year, as compared with the preceding year, about 60 per cent. has been the increase. This trade consists of European manufactures, nine-tenths of which are British. Those individuals on whose energy and enterprise this important trade entirely depends are before you this night by their petitions. They tell you that the trade is in danger, from the jealous and aggrandizing policy of Russia, that the Persian trade must follow the fate of the Turkish with Great Britain, and that Russia's views are those of determined hostility against both."

Nothing can be more perspicuously expressed, than the distinction between the Turkish, the Persian, and the Wallachian and Moldavian trade carried on by means of the Danube, in the above extract from Mr. P. M. Stewart's speech. Yet some official underling in the press had the astonishing assurance (with the printed report of the speech under his eyes) to charge him with carelessness in confounding the trade to Turkey, and to Persia. He did no such thing. Taking for granted that Mr. P. M. Stewart had founded his motion for protection on the Turkish, or Levant trade, alone, the writer did not take the trouble to examine the terms of the motion. If he had, he would not have exhibited this hurry to throw a flimsy shield over the heads of his masters, who, in fact, did not stand in need of his protection. The motion of Mr. P. M. Stewart, explicitly was for the protection and extension of British commercial interests, in Poland, Turkey, and the Euxine. And the Honourable Member, in his speech, as will be seen by the above extract, comprehended under the last category—the trade to Persia,—the transit trade, carried on from the southern and eastern shores of the Euxine,—the trade with Asia Minor generally, and the trade by means of the mouths of the Danube, with Wallachia and Moldavia—as well as the Levant, or exclusively Turkish trade. He took the greatest pains to class those trades under their appropriate heads, and to describe them individually; so carefully, indeed, were his distinctions made, that none but the most uncandid and prejudiced of party writers could have had the temerity, in the face of public opinion, to accuse him of mis-stating or confounding them. The object of Mr. P. M. Stewart's motion was broad and comprehensive—it was the protection of

British commercial interests, generally, and in all parts of the world against the growing encroachments of Russia. Hence, its basis comprehended the remote districts of Poland, Turkey, the Levant, Persia, and the Euxine, generally. But there was no confusion or mis-statement respecting the trade to Turkey. The estimate of its extent, made by Mr. P. M. Stewart, so far from being unfairly exaggerated, by being mixed up with separate trades, carried on with other nations, we believe to be rather underrated: for it must be borne in mind, that a large supply of goods is sent to Turkey by circuitous routes; in vessels, for instance, which clear for different ports in the Mediterranean, and which, consequently, do not appear in the tables to which Mr. P. M. Stewart referred. Again, a large part of the demand for British wares by the Turkish provinces, bordering on the Austrian dominions, appears under the head of Exports to Germany, although it really belongs to Turkey; those provinces being supplied to a large extent with British produce, through the means of German fairs. For obvious reasons we have not placed Lord Dudley Stuart's admirable speech, made on the 19th of February last, among the publications at the head of this article; its object, supported by evidence and inference, as wide in its embrace as concentrated in its result, was a political one. It was to demonstrate the probability, and the danger, of Russia seizing the Dardanelles; to inquire what securities we had against her so doing, and to prompt immediate steps for obtaining such securities. The speech was, as we have said, masterly in every respect; and although its wide political scope does not fall within our present purpose, it contains some commercial data which singularly co-operate with, and corroborate those of Mr. P. M. Stewart. We may be permitted to extract from the appendix to his Lordship's published speech, the following calculations, which specify the actual increase on every separate article of British export to Turkey, which Mr. P. M. Stewart has only given in the mass, for the same period.

" During the same time (1827 to 1834) all our exports to Turkey, with scarcely a single exception, have increased in a most astonishing manner, to wit:—

Manufactured cotton has, during seven years, increased				182 per cent.
Earthenware	ditto	ditto	187	ditto
Refined Sugar	ditto	ditto	170	ditto
Woollen manufactures	ditto	ditto	335	ditto
Iron and steel	ditto	ditto	150	ditto
Hardware and cutlery	ditto	ditto	118	ditto
Pepper	ditto	ditto	150	ditto
Rum	ditto	ditto	1038	ditto
(viz. from 8539 gallons to 97,108).				
Indigo	has increased		1067	ditto
(viz. from 13,053 lbs. to 152,430 lbs.)				
Cassia lignea	has increased		834	ditto
Cloves	ditto		439	ditto
Cochineal	ditto		2846	ditto
Sugar, unrefined	ditto		561	ditto.
(viz. from 1302 lbs. to 38,357 lbs.)"				

Even if there were any inaccuracy or exaggeration in the above corroborated statements of the progressive increase of British exports to Turkey, properly so called ;—(and if further evidence were necessary, we might confidently appeal to all the mercantile houses, Scotch or English, engaged in the Levant trade),—it would very slightly affect the general bearing of our argument. It may thus be briefly expressed. The commercial resources of Turkey have never, up to this moment, been fully developed. It has always been our opinion, that Turkey possesses within herself, both the materials and the means of an illimitable increase of trade with this country ; provided only that proper steps be taken, commercially and administratively, for giving them development, encouragement, and permanence. The commercial principle of Turkey is free trade. It is asserted to be so in unequivocal terms, in the Government Gazette, called the *Ottoman Monitor*, edited by Mr. Blacque, who was invited from Smyrna to Constantinople by the Sultan to assist in its establishment ; and which may be said to be under the superintendence, or in technical phraseology, the responsible editorship of the Sultan himself. This profession of faith in the doctrines of free trade, thus officially promulgated, was referred to by Mr. P. M. Stewart in his speech ; and is so remarkable both for what it asserts and what it infers, according to the least sophisticated rules of political economy, that it is worthy of extract in this place :—

“ Good sense, tolerance, and hospitality, have long ago done for the Ottoman empire what the other states of Europe are endeavouring to effect by more

or less happy political combinations. Since the throne of the Sultans has been elevated in Constantinople, commercial prohibitions have been unknown. They opened all the ports of their empire to the commerce, to the manufactures, to the territorial produce of the whole world. Liberty of commerce has reigned here without limits, as large, as extended, as it is possible to be. Thus the markets of Turkey supplied from all countries, refusing no objects which mercantile spirit puts in circulation, and imposing no charge on the vessels that transport them, are seldom or never the scenes of those disordered movements which, occasioned by the sudden deficiency of such merchandize with exorbitantly rising prices, are the scourges of the lower orders, by unsettling their habits and by inflicting privations. From the system of restrictions and prohibitions arise those devouring ebbs and flows which sweep away in a day the labour of years, and convert commerce into a career of alarms and perpetual dangers. In Turkey, where this system does not exist, these disastrous effects are unknown."

A few words, by way of summary, may be added. From 1829 to 1834, all our exports to Turkey, with scarcely a single exception, have increased in the astonishing ratio above stated. The export trade to Turkey has increased at a rate so rapid, that although in 1829 its value was only 20 per cent. in comparison with that of Russia, it became almost equal in the year 1834, being then at the ratio of 89 per cent. Turkey encourages our shipping trade; for our ships go light to Russia to fetch the produce of that country, while they go to Turkey laden with our manufactures, or colonial produce. To Turkey we trade in British bottoms only; but our disadvantageous trade with Russia is shared with foreign ships. Turkey holds out the hand of encouragement to every nation that is wise enough to take advantage of her settled policy of free trade: Russia, on the contrary, lays a heavy tariff on British manufactured goods. She does more; she all but prohibits them: the only British export, she is willing to admit, is a half manufactured article, by means of which she hopes to beat us entirely out of our markets in Turkey and Persia. How do we defeat this object? We actually encourage it, alike to our commercial and political disadvantage. We weaken Turkey by not taking products of a homogeneous description, which her soil produces: we impart an artificial strength to the barbarous aristocracy of Russia, and a financial adequacy to her avowed anti-English designs, by taking her staple commodities to the injury of Turkey, and by tamely submitting to her oppressive and prohibitive tariffs. We will indicate a single example. We import the tallow of Russia to an enormous

and increasing extent. Now it has for many years been our firm conviction, and we are not stating this merely as theorists, but as having a practical familiarity with the subject, that we might, if we pleased, substitute the olive oils of Turkey for it in our manufactures to a very great extent. They might be equally well employed in the making of soap, in the imparting of light, and in the great processes of our staple manufactories. We may add, that the means of Turkey for supplying the demand for oil are illimitable. Nor is this our opinion only; it is also that of a large body of practical commercial men; it is further affirmed and proved in all the best works of recent travellers relative to the trade of the Levant and Turkey generally, some of which works will be found at the head of the present article; and we might appeal to the whole array of travellers in the Levant in order to authenticate the same inference; we might appeal to D'Ohson, to Ascalon, to Olivier, to Beaujour, to Ali Bey, Tournefort, Thevenot, and Thornton. In a word, we shall at once express our opinion that the oils of Turkey and other products of the Levant deserve the formation of a company for their especial encouragement and introduction into England. We should hail the formation of a "New Levant Company," for this purpose: nor do we think we shall have to wait long for such a commercial association. It would start with this peculiar advantage, and as it were, pledge of success; that it would be the duty and the interest of every British administration to give it every possible encouragement. Why? Because setting aside its inevitably profitable results, it would impart such strength to Turkey as to enable her, at some future time, to fight our frontier battles against her unprincipled and overpowering neighbour. Morally, it would do more to repress the exertions of Russia within due bounds than a hundred protocols and diplomatic notes—perhaps as much as fleets and armies. No doubt the substitution of Turkey oils for Russian tallow would be opposed to the interests of some of the great commercial houses in this country; and perhaps some of the insidious and fallacious imputations upon the arithmetical accuracy of Mr. P. M. Stewart's commercial inferences might be, without much difficulty, traced to the gérants of some of those houses. But the principles of free

trade, and the laws of political economy, ought at once to remove all grounds for such alarm, and all imaginary necessity for such mis-statement.

Great as are the political advantages, which we must derive from the increased development of the internal means and inexhaustible resources of Turkey, it is not less important to us in a commercial point of view, that she should be encouraged to supply us with oils for our manufactories. Turkey is indifferent to, what is termed, the balance of trade. She gives and takes goods in exchange for goods. In return for our increased exports, she would take proportionately increased imports of British manufactures, such as those we have enumerated in the extract we have made from the appendix to Lord Dudley Stuart's speech. A mere verbal recapitulation of them *seriatim* will show the immense importance of such an increased demand to Manchester, Glasgow, Leeds, Stafford, Birmingham, and our great manufacturing towns. For example, 1st—*Manufactured Cotton*. 2nd—*Earthenware*. 3rd—*Woollen Manufactures*. 4th—*Iron and Steel*. 5th—*Hardware and Cutlery, &c.* Not a word more, we are convinced, is required to prove the substantial advantages of such an improved trade to Turkey as we are recommending.

We have stated what is the Tariff of Russia, our avowed adversary. We say avowed, though not hitherto belligerent. Russia has confessed this hostility on her part, in an official note, delivered in June last by M. Boutanieff to the Porte, on the subject of the obstructions thrown by Mehemet Pacha in the way of the expedition to the Euphrates. In that she not only openly declared her conviction, but her determination also to act upon that conviction; "that whoever was the friend of England was her enemy—whoever was the enemy of England was her friend." We judge her therefore out of her own mouth; and we pronounce the tariff to be the tariff of a hostile power—another Milan decree of a new system of continental prohibition. Opposed to this, is the tariff of our ancient friend and ally, the sultan. It is a mere duty of 3 per cent. on all British imports—a duty barely more than nominal, and having the advantage of being fixed and invariable, throughout all the sea ports and maritime coasts of the sultan's extensive dominions. Why, in this age which boasts

so loudly of carrying the principles of free-trade into practice, is not the principle of reciprocity adhered to, with regard to the products of the Turkish empire imported into this country? It is true, though the effect be yet not publicly felt, that some reductions have been made latterly in the import duties upon fruits, madder, *Velonia cantharides*, perfumes, dyewoods, rhubarb, oils, and lamb-skins, &c. But why is the trifling relic of these reduced duties retained; duties which are at once bad in principle and, comparatively speaking, useless to the revenue? Why again, is the great variety of duties on the numerous staple productions of Turkey and the Levant, some of them absurdly vexatious, suffered to remain\*? A fair principle of reciprocity would at once equalize, at 3 per cent., the duties on olive oils, on the turpentine, pitch, tar, rosin, and timber of Anatolia; the saffron, rhubarb, kermes, galls, umber,

---

\* The following articles, with the present rate of duty annexed to them, will show that we are far from reciprocating the free-trade tenets, and three-per cent. tariff, of our ally, the sultan.

Angora wool and shawls, 30 per cent.

Anatolian, Syrian, and Cypriot silk, 1*d.* per lb.

---

cotton, 2*s.* 11*d.* per cwt.

(3 per cent. allowed for tare, exclusive of ropes).

Cyprus wine, 5*s.* 6*d.* per gallon.

Levant olive oil, 4*l.* 4*s.* per tun.

(one-third tare per jar.)

Anatolian tobacco (cut), 9*s.* per lb.

Ditto red leather, 30 per cent.

Figs, 15*s.* per cwt.

Madder roots, 6*d.* per cwt.

Turkey carpets, 15 per cent.

Kermes, 20 per cent.

Caramanian oak planks—2 inch, and under 15 feet, 18*l.* 1*s.* per 120.

---

2 inch, and above 15 feet, 36*l.* 2*s.* —

Anatolian and Syrian opium, 4*s.* per lb.

Pitch, 10*d.* per cwt.

Tar (per 12 barrels of 31½ gallons), 15*s.*

Anatolian turpentine, according to value, from 4*s.* 4*d.* to 1*l.* 6*s.* 2*d.* per cwt.

Olives, 2*s.* per gallon.

Alum, 17*s.* 6*d.* per cwt.

Rock ditto, 11*s.* 8*d.* per cwt.

Copperas — blue and green, 5*s.* per cwt.

---

white, 12*s.* per cwt.

Levant almonds.—Jordan, 2*l.* per cwt.

---

other sorts, 1*l.* per cwt.

Levant nutmegs, 3*s.* 6*d.* per lb.



copperas, alum, nutmegs, almonds, cotton, wine, and ornamental woods, of the Levant. The loss to the revenue, even in the first instance, would be trifling—it would be certain of being rapidly made up—the expensive custom-house organization requisite for collecting these trifling duties might be dispensed with—and a wholesome principle would be maintained. The most self-defeating of the duties to which we have referred, is that of four guineas per tun still retained on olive oil, which is profusely employed as an essential auxiliary, in the great woollen manufactories of Yorkshire.

It was rather insinuated than argued, in reference to Mr. P. M. Stewart's speech, that the reciprocity for which we contend is defeated by Turkey herself—that she encourages imports from every nation, but discourages the export of everything grown within her dominions. Those who venture upon such bold assertions, must calculate upon extraordinary ignorance, or indolence, in those that hear them. We have already enumerated several well-known articles grown within the Turkish dominions, whose export is not prohibited—and we might, if we pleased, fill the remainder of this page with similar articles. It will be seen, moreover, by reference to the extract of the *Ottoman Monitor*, that Turkey disavows the system imputed to her. She officially declares her commercial principle to be free trade. The instances to the contrary are either merely local exceptions to her general rule, or accidental obstructions thrown in the way of the operation of her commercial code, by the ignorance or corruption of subordinate authorities. It has been said, that her corn and oil are among those products of which the export is prohibited. But fact is more convincing than allegation. A large supply of Levant oil has been imported into this country during this season, and Turkey has this year, for the first time, exported corn to Odessa, from which place she has been in the habit of receiving it,—a proof of the growing development of her internal resources. Considering the official source from which it appears to have come, the assertion proves either unjustifiable ignorance, or still more unjustifiable assurance in those that advanced it: it is well known that the British army in Spain and Portugal, in 1812, derived the largest part of its supplies from corn exports encouraged by Turkey—from the rich corn plains of Nicosia

in Cyprus, and those of Asia Minor, which extend from Tarsus to the Gulph of Satalia. These exports were the chief source of profit during that long period to the merchants of Larnaki; and it is notorious that our present consul for Cyprus, Vondiziano, made his large fortune entirely from dealing in exports of corn from Turkey. There is, we know, a monopoly in some parts of the Turkish empire with regard to opium and silk; but these monopolies are neither universal nor permanent; nor can they continue to co-exist with the free trade principle of the Turkish code.

Why then have these obstructions been suffered to exist? We are afraid that the true answer to this question, although it may surprise no one, must be humiliating to us: the reason is to be found in the inadequacy of our eastern diplomacy. The well-directed exercise of a little activity would have been, and would perhaps be still, sufficient to remove these obstructions. But exertion of almost any kind, has been precluded by the unhappy constitution, and, as it were, mechanism of our consular establishment. We have fallen into a great error, in making our consulships in the Levant merely commercial; into a still greater, in making our diplomatic establishment at Constantinople, merely political. Nor has the selection of persons to fill the important situations, to which we refer, been generally of a satisfactory nature. These remarks bring us, naturally, to the last division of our subject, *viz.* our consular establishments in the Levant.

Mr. P. M. Stewart's motion, although no division took place upon it, effected a great public benefit. It was a manifestation of mercantile opinion, and was almost immediately followed by a measure of the government, upon which we are about to direct an approving glance. Part of his motion was to recommend the appointment of consuls, not at Cracow only, but at Erzeroum, Tiflis, and Bir, on the Euphrates. It is understood that the government is prepared to send a consul to Tiflis, and it is not improbable that the appointment of consuls to the other two points may be contemplated under the provisions of the bill brought by Lord Palmerston into the House of Commons. An improved regulation of this description has been in fact one of the *desiderata* of all the merchants of London and Glasgow engaged in the Levant

trade; and till the announcement in question was made, they had ample grounds for dissatisfaction. Nothing can be more defective than our consular organization throughout the Levant has been up to the present day. Some improvements have indeed been slowly and feebly introduced into the languid frame-work of the establishment; but those improvements, generally of little effect in themselves, have been rendered still more ineffective by the daily growing importance of such consular stations, in consequence of the changes operated by the relative positions of Russia and Turkey.

A brief exposition will demonstrate the reason of their inefficiency. A vicious principle infects the whole organization, and all remedies, which do not go to the root of the disease, will leave the parent vice uncured,—like the dry rot in the main timbers of a building, which no addition or subtraction can remove, while the seeds of the evil remain, although they may patch over, and conceal it. A reconstruction of the whole system from its very foundations, is the only remedy which can be effectual, and unless this be contemplated by Lord Palmerston's Bill, it will be as inefficient as all preceding remedial measures have been.

The evil arose during the foreign secretaryship of Mr. Canning. Before that era the whole system of the Levant consulships was as bad as it was possible to be. Memorial after memorial was addressed to the foreign office, by gentlemen connected with our mercantile and shipping interests, by travellers and diplomatic writers, demonstrating the fact; and Mr. Canning did certainly take such steps as the then commercial and political condition of the Levant, and of the world generally, appeared to justify or to claim. It must be admitted that he did remove what was disgracefully and radically bad; but he, at the same time, introduced a new evil into the system, which, although at the time it attracted little attention, is felt at present to be seriously and daily aggravated. This was the principle of his selection. The consuls, then added to the establishment, or substituted for aliens under the influence of Russia, were individuals, whose only claim to their appointments was, the being Englishmen, having commercial connections. These are, indeed, trivial recommendations to situations

of such importance ; and we have reason deeply to regret that it was not considered necessary for the consuls to have political knowledge, and diplomatic as well as commercial training. Mere mercantile agents might have appeared competent to the task at a time when no belligerent clouds obscured the political horizon, and when the imperial Calmuck himself uttered serious but hollow promises of diffusing liberal institutions among his hordes of dragooned serfs. But now the case is entirely altered. We do not deny that there are some respectable men among our consuls at present in the Levant. But few of them have any high commercial standing, influence, or connections. We doubt whether some of them, in the words of Mr. Canning's strange financial boast when Chancellor of the Exchequer, ever cast up an addition sum in their lives, or are conversant, as they ought to be, with the practical minutiae of commercial statistical and monetary calculation. Too many of them have brought injury and ridicule upon us by their carelessness, ignorance, and pretensions.

The important relation in which we stand to Turkey, justifies us in imperatively demanding a radical change in this system. Russia is in the arena armed at point ; her encroachments in time past are known to us, her intention of repeating her aggressions in time to come is more than suspected. Looking to the admirable organization of her diplomatic and consular establishment there, we require that our consuls in the east should, invariably, combine political and commercial functions. Their political functions might be paramount ; their commercial functions might be safely permitted to be subordinate. In order to set the agent free for the exertion of his political or diplomatic duties, his commercial functions might, according to our view, be delegated to inferior agents, such as are now called *cancellieri*, for whose capacity and conduct he should be held responsible. A selection of political residents, such as we have described, located upon every important point of the Turkish maritime coast, appears to us to offer the only reasonable hope of frustrating the intrigues of Russia, and adequately protecting the interests of our commerce with Turkey. But those to whom these great objects are entrusted, must be selected with the utmost care. They must be men of personal weight, of respectable

connections, of known talents, and of business-like habits; of trained political knowledge, of adequate commercial experience, of education, and of liberal feelings; of familiarity with oriental institutions, manners, and prejudices—men capable of holding personal intercourse with the natives by a knowledge of their language; thus freeing our consuls in the Levant from the absurd necessity of making all their communications through the instrumentality of *droguemans under Russian influence or in Russian pay*. All that is requisite to complete the system is, that, adopting the centralizing system of the Russian foreign office, the political residents should be required to communicate directly with each other and with the Foreign office at home. Such measures are, in our opinion, indispensably necessary\*.

If, on the contrary, the old spirit is to prevail in the appointment of the new consuls under the provisions of Lord Palmerston's bill, it requires little keenness of vision to foresee that the change will be no improvement, and that the bill will be either fruitless altogether, or productive of a fresh crop of bad fruit. If it be intended to make consular appointments, without reference to merit, talent, knowledge, or experience, merely the means of creating a new source of patronage, the system had better remain as it is. The present swarm of well-fed gnats, as the fox said in the fable, is less troublesome than a new swarm, whose appetite for blood will be fresh and keen. What the spirit of jobbing may do may be fairly surmised from what it has already done. Every traveller in the Levant, for the last twenty years, has invariably spoken in terms of contempt of the greater part of our consuls.

---

\* It is a startling fact that there is scarcely a *drogueman* throughout the Levant—scarcely one of that class of men through whom the British consuls are compelled to communicate with the Turkish authorities and population (being, in general, ignorant of every language but their own, and a little bastard French)—who is not under the influence of Russia. We have already adverted to the more than suspected influence of that power on some of the consuls themselves. The residents and agents of Russia are all selected and picked men. They are conversant with the language, with the manners and local institutions, of the country to which they are sent. They are imbued with an almost apostolical zeal for promoting the commercial and political interests of the cabinet, which employs them. As to the British consuls, we know not what they are selected for, save their party or family connections.

Their ignorance has been laughed at, and even their integrity impugned. One individual, who occupied, during the Syrian war of Ibrahim Pacha, a most delicate and important position,—and who, on account of the self-sufficient egotism of his *firmans*, is jocosely said throughout the East to imagine himself a Roman consul,—is reported to have secretly received presents from Abdallah Pacha, at a time when it was not politic to be seen to hold any communication with him. Another, whose Tory leanings are notorious, is stated to have been seen parading the streets of Smyrna, boastfully covered with the decoration of Russian orders, at a time when Russia was striking a blow at the heart of England, through the sides of our ancient ally, Turkey—namely, in the campaign of 1829. The consulship to Aleppo—which was suggested by memorials sent to the foreign office nine months previous to its creation by the Duke of Wellington, immediately on his taking office in November 1834, was at once conferred by his Grace on Mr. Werry, a Tory, to whom also Russian predilections have been generally imputed. The delicacy of the position, as connected with the expedition upon the Euphrates, an expedition avowedly obstructed by Russia and Mehemet Pacha, must be obvious and requires no additional comment.

There is another radical vice in the structure of the Levant consulships, which requires immediate correction; the more so that it has been complained of for the last twenty years and, although mitigated, still remains. We mean the employment of alien consuls to represent the political and commercial interests of this great country. Some of these persons are Italians, some Greeks, and some constitute a hybrid compound of the two. The gross absurdity of employing these aliens will be the more readily inferred when we state the almost incredible fact, that these men, having no English association whatever, have been allowed to represent contemporaneously the interests of England *and of Russia*. All the authors of the best authenticated voyages to the Levant are unanimous upon this point. Tournefort gives a ludicrous sketch of a full assemblage of these personages at Smyrna. Captain Light gives a similar sketch *en gros* of a *re-union* at Larnaki. Captain Beaufort, who was employed in 1812 by the admiralty to survey the

coast of Asia Minor, speaking of the island of Cos says, "Many circumstances point out this island as a proper place for the establishment of a British vice-consul, provided always that he were a *British subject*. The miserable and venal natives who now fill that important office in most parts of the Levant, disgrace the national flag; they are equally useless in a commercial or political point of view." The work of Captain Beaufort is an official work. His statement of the grievance of alien consuls in the Levant, may therefore fairly be deemed official; and we ask, how is it that the evil, thus authenticated, has been remedied? After a series of representations to the foreign office on this subject, continued for several years (we do not say this idly and vaguely, but from personal knowledge), some substitutions of British vice-consuls in the room of aliens have taken place; but a rapid glance round the shores of the Levant will suffice to show that the general character of the abuse remains undressed up to the present day. At Jaffa Damiatî still represents British interests; another Damiatî, his son, still acts as vice-consul at Ramla. At Tripoli our consular agent is Catzi-flis, a Greek; and the leaning of all the old commercial Greeks to Russia is perfectly notorious. Ferroni\* is at Scandiroon. At Cyprus, within half a day's sail of Scandiroon, and which we hesitate not to say might be made the most important British commercial station in the whole Levant, Vondiziano, an Italian, still represents the interests of Britain, and, we believe, those of *Russia and Austria* at the same time.

We shall hereafter proceed to prove the immense value of this position—partly from corroborated evidence of every class—topographical, political, and commercial—partly from official statements. In the meanwhile, let us complete our survey of the sea-shores of the Levant. If the large portion of these shores from Jaffa to Scandiroon, including Cyprus, has been consigned to the guardianship of aliens, another large portion of equal or greater importance, extending west-

---

\* Since this article was written a Mr. Hayes has been substituted for Ferroni, the alien vice-consul at Scandiroon; Picciotti preceded Werry at Aleppo. Pisani, our *drogueman* at Constantinople, still discharges functions as full of responsibility as those of the Ambassador himself.

ward from Scanderoon to the magnificent bay of Macri, and even to the commodious station of the island of Cos, at the extreme angle of the south-western shore of Anatolia, has been left without any consular guardianship whatever. Although Captain Beaufort's official report had pressed upon the government the importance of the whole line to the interests of British commerce, it was left without one consul, during the time when Ibrahim Pacha was advancing from Adala to Constantinople along the great road through Konieh and Kutaieh, which crosses Asia Minor in a diagonal direction from south-east to north-west. From Tarsus two roads communicated with his direct line of march, one on the east towards Adana, a distance of a very few miles; the other through the "Cilician Gates," which Alexander passed in his march upon Issus in the bay of Scanderoon. Again, a road leads from Kelendri, a Caramanian sea port thirty miles north of Cyprus, and from Anemour, a trading town, in a direct line to Konieh. Other roads communicate with Kutaieh, from Adalia, a large and populous trading town in the gulph of that name, and from Macri. The last road is that by which the government messengers proceed from Constantinople to Cyprus and to Egypt. All these important stations were without consular or political agents at the time we notice, and we believe still remain so. A Venetian merchant named Castilliani, who made his fortune during the late war by exporting corn from the rich plains of Tarsus Anemour and Adalia, acted some few years ago as our consular agent at Tarsus; but whether he did so at the time we name we cannot say. At all these points we recommend agents to be appointed under the new bill, uniting the political and commercial character. A consular circle, or jurisdiction, should embrace the Caramanian coast, and have its centre of authority in Cyprus, under a British resident or consul-general.

We have stated a few of the grounds on which we recommend these appointments and this centralisation. There are others not less urgent. It is not necessary to weary the reader with historical evidence of the commercial advantages connected with the local position of Cyprus, since a glance at the map of the Levant will be nearly sufficient for the purpose. We might otherwise dwell upon the facts—that it was one of the



earliest commercial stations in the East;—that this island was one of the first recorded maritime powers—the people of Citium (Chittim) being, anciently, only another name for a maritime people;—that it was considered as a granary, as well as a source of mineral wealth, under the Ptolemies and the Romans;—that it was the richest commercial seat of the Knights Templars;—and that, previous to the obstinate and sanguinary campaign during which the Turks won it from the Venetians, its accumulation of commercial wealth must have been adequate to the number and populousness of its cities, and its well-fortified sea ports. Nicosia its capital, previous to the siege of the Turks, was larger than London one hundred years ago. It is recorded to have contained six cathedrals and nearly three hundred churches. The long sieges maintained by Larnaki and Famagusta against all the maritime force of Sultan Solyman, prove the power which their inhabitants derived from commercial wealth. Since its subjection to the Porte, Cyprus has been decaying in productiveness, having neither been governed under the eye of the sultan, nor as an independent pachalic; and having been considered a mere *appanage* to the seraglio, and consigned as a source of luxurious revenue to the kishlar aga, or chief of the black eunuchs. Notwithstanding this neglect and discouragement, there is no traveller of any note, who has visited it since the sixteenth century, who does not speak, in the same warm and singularly concurrent terms, of its vast capabilities and the almost spontaneous productiveness of its vegetation. We must refer generally to the successive authors who have visited and described it (including Mariti, one of the earliest and most capable writers after the Turkish conquest), for proofs of its restricted, but irrepressible, fertility. Ali Bey, who visited the island and the opposite shores of the Levant in the years 1806 and 1807, upon a commercial mission from Napoleon, made a communication to the Porte respecting the dormant resources of Cyprus, and the best means of developing them. He says—

“ Si la population augmentait au degré dont je crois l'île de Chypre susceptible; si une constitution libérale assurait la liberté et la propriété individuelle, en faisant disparaître, autant que possible, la rivalité des cultes, *cette île pourrait devenir l'un des pays les plus heureux de la terre.*”—(*Voyages d'Ali Bey, Paris, 1814. Vol. II., p. 153.*)

Captain Kinneir, who in 1813 and 1814 visited this island and the opposite coast of Caramania in a semi-official character, on behalf of the East India company, concurs with Ali Bey ; he speaks of the wheat of Cyprus, and the bread made of it, as the finest in the world. He adds, that rice and sugar would grow upon the island, and that the produce of every land flourishes there. But enough has been said of its productive capabilities.

Its geographical importance as a political position must be obvious to the least practised eye. A survey of the map will demonstrate the facility, which it affords, for rapid communication with the three important districts of Asia Minor Syria and Egypt—with the projected routes to India by the Euphrates and Red Sea, and with the new monarchy of Greece, whether insular or continental. It seems formed by nature, with its five ports—Cerina on the north—Baffo on the west—Famagusta and Larnaki on the east—and Limasol on the south,—to become a *dépôt* for the commercial commodities of those countries and the focus of a political preponderance in the affairs of the Levant. A few brief topographical details will complete our argument. A short road of sixteen miles, running due north, leads to the port of Cerina, which is the station of the Turkish packet boat communicating with the opposite coasts of Caramania, and which may be always seen from the heights about Cerina. Kalendri is the opposite port, on the Caramanian coast. The direct distance is rather more than thirty miles, and the passage sometimes occupies half-a-day, sometimes more, according to the state of the wind. Now a steam-boat could effect this passage, if it were requisite, in an hour or an hour and a half. And here we may remark, that coal mines, suspected by Ali Bey to have existed in Cyprus, have been recently discovered on the opposite Syrian coast at Beyroot. Thus fuel for the supply of the boats would not be wanting if rapid communication by steam were necessary.

That it has been, or may be necessary, a few words will at all events leave grounds for inferring. From the heights above Cerina, with a good glass, may be seen the maritime coast of Adana where Ibrahim Pacha, not improbably under the dictation, at all events under the cognizance of Russia, is at this very time making the most formidable naval and mili-

tary preparations for another advance through Asia Minor upon Constantinople. From Cape St. Andrew, the extreme eastern point of Cyprus, a *surveillance* of his operations from Ayas to Adana might be effected. A direct road running due north intersects the circuitous line of his march at Konieh, while it is again intersected at Kutanieh by two more roads, the one proceeding from Adalia, and the other from Macri. The road from Tarsus also proceeds due north in the direction of the Cilician gates (which might be easily fortified so as to be impassable) and falls, before reaching them, into the main road from Adana to Konieh. It is at the above points on the coast of Caramania, the importance of which must be evident in case of a war, whether moral or physical, with Russia, that we suggest the establishment of vice-consuls communicating with their chief, a consul-general or political resident, at Nicosia in Cyprus. Nothing can be conceived more admirably centralized than his position there would be—like a spider in the centre of his web, he would grasp at the same time all the lines of communication with the four most important districts of the East. A southern road leads to the Egyptian sea port of Cyprus; an eastern, to its Syrian sea ports; a northern to its Caramanian sea port; and a western to a sea port communicating with Greece, Constantinople, and Malta. It remains to be shown that the maritime points on the southern sea coasts of Caramania, to which we have adverted, are important as commercial not less than political stations. Let us begin with Macri, and take Captain Beaufort's official character of it. He speaks of the bay as "one of the most "magnificent roadsteads in the East;" and adds, that "it is "admirably adapted for watering, refitting, and provisioning "our shipping." The town of Macri is situated in an excellent harbour at the bottom of this deep and safe gulph, and carries on an extensive trade in timber, tar, salt, cattle, corn, and provisions. It also contains the post house for the Turkish messengers to Constantinople, Syria, and Egypt.

"The town of Adalia," we learn from the same authority, "is beautifully situated round a convenient harbour, in the "great bay of Adalia; the population is from eight to ten "thousand." The country is described as superb, the climate being rendered delightful by alternate sea-breezes.

The production of corn and fruit is profuse. Large supplies of wheat, from the neighbouring districts, were exported to Spain and Portugal, during the peninsular war. Captain Kinneir says, that the bread, made of this corn, was the best he ever remembered tasting. Captain Beaufort adds, that the bazaar appeared to be well stocked, and that he saw there cloths and hard-ware of English manufacture. Anemour to the west of Kalendri, which may be considered its sea port, is a town nearly similar in size, and possessing similar advantages, to Adalia, but is fortified in so superior a manner as to strike all European voyagers, who approach it. Tarsus is situated twelve miles inward from the coast, on the river Cydnus, and has a scala or landing place on the sea shore; the river is described as being deep within the bar, and 160 feet wide. At the time of Captain Beaufort's survey it was surrounded by corn fields, its bazaars were well stocked, and it was characterised by a general look of business. Captain Kinneir says, that it is situated in a fertile vale on the right bank of the Cydnus; the houses which are of hewn stone, and with flat roofs, being intersected by gardens and orchards; and that its population is about thirty thousand; that it contains several baths, mosques, and handsome caravansaries, besides St. Paul's church, a cathedral belonging to the Greek christians and dedicated to the apostle, who was born here; "that the surrounding country is "most prolific in the production of wheat, barley, sesame, "cotton, and fruits; that its bazaars were well stocked; that "it exported copper, tobacco, and gall nuts; and that it im- "ported rice, sugar, and coffee from Egypt, woollen and cotton "manufactures and hardware from Malta." A survey of the whole line of the Caramanian coast does not fall within the scope of this inquiry; nevertheless, an accurate familiarity with it is likely to be, at no distant time, of the greatest importance to British commercial interests. For the most authentic as well as the most ample and minute details respecting the whole extent of the Caramanian coast, we must refer to Captain Beaufort's official survey, made by order of the Lords Commissioners of the Admiralty; not only is his description of the coast most searchingly and scrupulously careful, but it is accompanied by the most correct chart, on a large scale, now

extant. A few points connected with it may however, be briefly and usefully thrown into stronger relief.

That the whole coast, from the Bay of Macri to the Bay of Scanderoon, is thickly studded with the most interesting ruins of magnificent and powerful cities, is a matter rather for antiquarian than commercial consideration. Some surprise at the neglect of these monuments by literati, may however be reasonably indulged; for although a portion of these magnificent ruins has been preserved by the labours of the Dilettanti society, another large portion of them has been solely brought to light by a naval officer employed on the dry and technical details of a maritime survey. The antiquarian fact, however, has an indirect bearing on the commercial view we are taking; since this line of coast, having been the seat of the most powerful and wealthy federated republics of the ancient world (and we believe that the representative principle of federation, falsely by Rousseau considered to be a modern invention, may be even traced to the Lycian republics), supplies *primâ facie* evidence of the natural productiveness, as well as the commercial capabilities, of the district. We shall therefore briefly record, that Captain Beaufort, having in view at the time when he wrote the occupation of Asia Minor by a power hostile to British interests, and the best means of counteracting that object, states generally, what might be readily inferred from the antiquarian fact to which we have above adverted, that the whole line of coast is thronged with admirable stations for the British navy whether mercantile or warlike. He specifies the individual instances of this allegation *seriatim*, as he proceeds with his survey. For instance, speaking of Selinti, a few miles westward of Anemour, opposite to the coast of Cyprus, and commanding a cross road to Konieh, he states that it might be fortified and rendered as impregnable as Gibraltar; and he supplies in his chart different views of the rock of Selinti, which in reality bears a strong resemblance in its physical characteristics to the rock of Gibraltar. So he says that Cape Cavaliero and the island of Castelrosso,—both strong stations of the commanderies of the Knights Templars and the Knights of St. John, the one commanding the great Bay of Ayas, the seat of Ibrahim Pacha's present preparations; the other, the

magnificent Bay of Adalia,—might be rendered impregnable as British naval stations. He adds, that Castelrosso has “a snug harbour, which will admit merchant vessels of any size to moor within a hundred yards of the houses.” Of the Bay of Phinika, between the Bay of Adalia and the Bay of Macri, he speaks in the same terms; he adds that Phinika has a “convenient harbour and anchorage, that two rivers fall into the harbour, and that it is well adapted for wooding, watering, and provisioning the British shipping.” We have hinted at the circumstances, under which Captain Beaufort was induced to suggest the advantage of these naval stations to the British government: the fear entertained, at the time when he wrote, was not that the machinations or aggressions of Russia should convert the possession of Asia Minor, and of its coasts, to the injury of British interests, commercial or political; the fear then was, that Asia Minor might have been converted into a road to India by the great conqueror, with whose exploits the world was then ringing, and to whose project of Indian aggression Russia has succeeded. It was under the latter impression that Captain Kinneir, officially employed by the East India Company, makes the following singular statement and striking suggestion respecting Cyprus, which will complete our view of the importance of the whole station, and confirm our argument as to the advantage, or rather necessity, of such a new consular circle or jurisdiction, as we have recommended.

“The possession of Cyprus would give to England a preponderating influence in the Mediterranean, and place at her disposal the future destinies of the Levant; Egypt and Syria would soon become her tributaries; and she would acquire an overawing position in respect to Asia Minor; by which the Porte might at all times be kept in check, and the encroachments of Russia in this quarter retarded, if not prevented. It would increase her commerce in a very considerable degree; give her the distribution of the rich wines, silks, and other produce of that fine island, and the cotton, tobacco, and opium of Anatolia. It is of easy defence and, under a liberal government, would, in a very short space of time, amply repay the charge of its own establishment, and afford the most abundant supplies to our fleet at a trifling expense.”—(*Kinneir's Journey through Asia Minor*, &c., p. 185.)

Our readers will recollect that we are limiting ourselves, in this inquiry, to the Turkish and Levant trade. The new consular creation, which we recommend, has an especial view

to the protection of that trade. Other consulships, either on the shores of the Euxine, in Persia, or on the line of our commercial communications, established or to be established, with Persia or with India, will naturally suggest themselves. They may be, without inconvenience, left to the operation of the new bill carried through both Houses of Parliament, "for better defining the power and jurisdiction of His Majesty's consuls in the Ottoman dominions." We cannot entertain a doubt that some *epuration* of the alien consulships along the western shores of Syria and Cyprus, is contemplated, and will be effected, by the bill. We have adduced arguments sufficient to show that all the new and improved consulships should now intermix the political with the commercial character. The aggressions of Russia are of a mixed commercial and political nature. In order to prevent her effectually from proceeding with those aggressions, it is become incumbent on the statesmen of this maritime country, to surround her with a *cordon* of consulships, throughout the whole extent of maritime coast, which she either touches, or influences, or overawes. This is the most obvious and convenient security we can take, for her being obliged to keep the peace. We do not recommend war with Russia, if it can be avoided. Her measures and her language—did we look on her in any other light than as a semi-civilised and dishonourably overreaching enemy—have often, both indirectly and overtly, been tantamount to belligerent acts. But adroitly to avoid war, while we pacifically counteract her craft, is in reality to employ her own weapons against herself. With big words of warlike menace on her lips, which, like a bully, she employs to extort assent or to silence opposition, Russia trembles at the idea of war. This position has been fully established in a former paper of this Review, and it is not requisite to recapitulate the argument. The whole tenor of her commercial and of her diplomatic acts must be considered as decidedly hostile to England, and of a character virtually, although not ostensibly belligerent.

The battle is to be fought with the pen rather than with the bayonet. The warfare of diplomacy must precede the warfare of arms; the political residents, whom we recommend, will constitute a chain of advanced posts, for the protection

of British interests, previous to the day of actual warfare, and when that day of actual warfare shall come; for although it is our firm conviction that war with Russia may be, and ought to be delayed — since to rush into a war with her, immaturity, would be to play a card into the hands of the enemies of English and all human liberty—it is scarcely possible, considering the relative position of England and herself, that a hostile collision can be ultimately averted. She has herself, in that official document to which we have referred, admitted the fact, that, openly or not, her position towards England must always be that of a hostile power; to be the friend of England, she there stated, was to be her enemy. Her undisguised intentions upon Turkey—her tariffs upon British commerce,—her avowed designs upon British India\*—all these indications prove that the avoidance of an ultimate collision is not to be expected. The mere development of her physical resources and the Mediterranean vent, which she is naturally prompted to seek for their relief, must alone contribute to produce the collision. No statesmanship can counteract, although it may delay, this natural growth of effect from cause. Again, her moral position in the midst of the war of opinion, which has already begun, which she has fostered and supported (sowing, for selfish ends of her own, the seed which will prove dragon's teeth to her), and which will certainly not cease until it has made the circuit of the world—will accelerate the inevitable crisis. “There is one war of bombs,” says a Russian statesman, who, exhibits in the Portfolio, “and another war of opinions.” Nothing can be more true; and the side which Russia must take in the latter war is equally evident.

That she has identified herself with the cause of absolute governments against free institutions, whether in Spain or Italy, in Poland or in Turkey, in the north or in the south of Europe, is completely proved. The time will shortly come,—and she has herself announced her conviction that it will come,—when a union will be indispensable between all the free states of the

---

\* In an official gazette, published at Moscow, in reply to the parliamentary censures of the atrocious Warsaw speech, she threatens that she will dictate peace to the turbulent islanders, at Calcutta.



world, against the unintermitted encroachments of her ambition. She feels that the great battle of opinion is rapidly drawing on, when England and herself will be compelled to take opposite sides in the Cheronæan struggle. She has long avowed it by her acts, and now she makes the announcement in official terms. England must reflect that every blow aimed henceforth at liberal forms of government modelled after her own, is a blow aimed at herself. A shout of joy is raised by a stipendiary press, in every part of Europe, at every fresh triumph of Russia over free institutions. To her the absolutists of Europe look for countenance and support; to her the conformers—the conservatives of this country look, as to the lever which shall one day re-elevate them to their lost ascendancy of mischief;

“ The damned in Padalon acclaim  
Their great deliverer's name.”

In conclusion, we reiterate the plain and pithy recommendation, with the spirit of which it has been our wish to pervade the whole argument and drift of this paper. *No war with Russia at present; but let England be prepared for it when it comes, as come it will. Let a diplomatic warfare, conducted by well-selected agents and with a well-organised unity of system, precede the warfare of arms. The Levant should be the chief seat of that diplomatic war of outposts.* An improved consular organization, for the mutual protection of the political and commercial interests of England and Turkey combined, will constitute the most vital element of that preparatory warfare. May wisdom preside over the selection and application of its instruments.

---

## ARTICLE II.

*A Journey from India to England, &c., in the Year 1817.*

By Lieutenant-Colonel JOHNSON, C.B., 2 vols. London: 1818.

*Personal Narrative of a Journey from India to England, &c., &c., in the year 1824.* By Captain the Hon.

GEORGE KEPPEL, 2 vols. London: 1827.

*Travels from India to England, &c., in the years 1825-6.*

By JAMES EDWARD ALEXANDER, Esq., 2 vols. London: 1827.

*Narrative of a Journey into Persia, &c., in the year 1817.*

By Captain MORETZ VON KOTZEBUE, translated from the German, 8vo. London: 1819.

*Fifteen Months Pilgrimage through untrodden Tracts of Khuzistan and Persia, &c., &c., in the years 1831 and*

1832. By J. H. STOCQUELER, Esq., 8vo., 2 vols. London: 1832.

WE resume, as we promised, the subject treated in the second article of our fourth number, and shall endeavour to give an idea of the condition and character of the remaining classes of the Persian people. That comprehending the military and *employés* has been described. We shall now proceed with the ecclesiastical and learned orders, which form what may be regarded as the second class, in importance if not in numbers, though even in numbers it is very considerable; while its influence, like that of the learned professions among ourselves, pervades every rank and order of society. Any man may enter it, and by talent and piety, real or affected, rise to the highest offices and estimation; but it receives its principal supply from among the citizens and cultivators.

The ecclesiastical portion of this class, which also comprises the lawyers, is numerous, wealthy, and powerful, and embraces a variety of grades from the Moojtehed down to the lowest Moollah. Formerly there existed a chief pontiff, or head of the clergy, under the title of Sudder-ul-Suddoor, who, with the approbation of the sovereign, nominated the

principal judges of the kingdom. But this high office, which had been established by the Suffaveans, and the incumbent of which had arrived at an excessive and dangerous height of power under the feeble reign of the pious but weak Shah Suldaun Hoossein, was abolished by Nader Shah. That strong-minded but arbitrary monarch, immediately after being crowned, assembled the principal priests, and asked them in what way the immense revenues which they enjoyed (amounting, according to Hanway, to nearly a million sterling) were expended? "In supporting priests, colleges, and mosques," said they, "in which latter we continually pray for the success of our sovereigns."—"Your prayers have been unacceptable to the Almighty then," said Nader, "for it appears that the empire has suffered its greatest decline when your order was most encouraged;—we must appropriate your wealth to those who have saved it—my brave soldiers\*."

Fearless of consequences, he seized almost the whole church property. But it was an impolitic and shortsighted measure, for it made the whole body his enemies, and, as the ancient envy created by their wealth gave way to pity and compassion for their fallen condition, their preaching against him was attended with greater effect.

Moojtehed is now the highest order of the priesthood. They exercise the functions and authority of the former pontiffs without possessing their revenues. In the whole kingdom there are seldom above three or four of them, who reside at the principal places of religious resort, and in the chief cities, as Mushed, Koom, Tehran, Tabreez, or Sheerauz. They are elected by each other, but their importance and reputation, and consequently their wealth, depend upon superior sanctity and reputed wisdom and virtue. One great source of profit to a Moojtehed is the money committed to his care for distribution in charity; for as many pious and charitable persons are at a loss for worthy objects on whom they may bestow their alms, they entrust them to some priest in the enjoyment of a high character for sanctity, to distribute for them—thus at once avoiding trouble and responsibility: and the holy man, considering himself fairly included among the objects

---

\* See *Malcolm's History* and *Hanway's Travels*.

intended by the donor, takes care that a considerable portion shall be thus worthily applied.

The same system, on a greater or less scale, is pursued by all orders of the priesthood, the lowest of which descend for a livelihood to every possible shift of meanness and deception. Some profess judicial astrology, and make money by reading horoscopes, interpreting dreams, and telling fortunate hours for the guidance of the unlearned in their secular pursuits. The majority of the priesthood however is, in some shape or other, attached to mosques and shrines in the various cities and towns of the empire. Each mosque or shrine of any consequence has a Mootwullee, who manages its temporal affairs; a Peaishnumaz, who may be considered as the reader of the service to the congregation, who follow him in the prescribed prayers and genuflections; and a Muezzin or crier to prayers. Besides these there is always a host of inferior Moollahs and Khadums, or servants attached to each establishment, in proportion to its wealth and celebrity and the number of pilgrims and worshippers that repair to it. A crowd of unattached Moollahs are also to be found in every city, hangers on of the various colleges, or roaming at large, —men who, having failed to gain an honest livelihood, live by their wits, and by consequence become profligate hypocrites and unprincipled cheats.

Those of the order, who are the expounders of the written law (which as every one knows is taken from the Korân), and are the judges in civil cases, have less excuse for their venality and corruption, as they in general receive salaries in some degree proportioned to their rank and the duties they have to perform, from the revenues of the state. The Sheikh-ul-Islam is the chief of these functionaries, but probably from experience of the expense and uncertainty of justice so dispensed, people prefer submitting their disputes to the decision of some individual of acknowledged experience and integrity—generally a Moojtched, or priest of high character. Merchants choose one of their own body as arbitrator. Offences of the nature of assaults are referred to the Governor or Darogha of the police, in towns—in villages, or small communities, to the Ketkhodahs, Zabits, or Reish-suffeeds of greatest influence and repute; so that the duties of the constituted legal autho-

rities become, in great measure, superseded by a sort of conventional dispensation of justice of a more primitive and patriarchal character, springing out of the abuses of the regular national institutions.

There remains yet one very extensive division of the clerical order. We mean that of the various religious mendicants, fakeers, dervishes, and calunders of every description, who swarm in all Mahometan countries and especially in Persia. To describe fully this singular class of beings would require more space than can be given to the subject in an article of this nature. They are of many sects, according to the tenets or affected peculiarities of their founders; but the prototypes of all are doubtless to be discovered in the hermits and cenobites of Christianity and the ascetics of Hindostan. They all, in greater or less degree, profess poverty, self-denial, purity of conduct and of thought, and holiness of mind and conversation; while their practice, for the most part, is the very reverse of all this, and their assumed piety and temperance are but a cloak for the grossest profligacy.

In truth, the motive for embracing a life of religious mendicity and voluntary poverty and privation is far more frequently to be found in an idle disposition, an impatience of labour or control, and a love of ease and animal enjoyment, than in any purer or more exalted impulse. There is scarcely a city or village in Persia, where the bazaars are not thronged, and the highways haunted, by numbers of active young fellows, clad in the fantastic garb which these impostors assume, or sometimes with no other indication of their profession than the *Tâj*, or cap of the dervish, roaring out their most irreverent addresses to the Deity, and demanding offerings, rather than charity, in that sacred name, which they are ever taking in vain. Sometimes one of this community will take up his quarters at the gate of a rich man, with a vow never to depart from it, until the owner shall have paid him a certain sum of money; and he seldom fails of obtaining his object. There is no dispossessing him by force—the servants would scarcely venture to obey their master, should he command them to use it; and the fellow knows his power too well, to allow persuasion to have any effect, unless accompanied by a handsome *douceur*. When he goes, his place is frequently occupied by another,

who goes through the same process. Such a case did actually occur not long ago at the British residency in Tehran. A fakeer took his post in a niche near the gate, where he kept up such a clamour as forced the envoy to purchase his departure at a considerable price; but scarcely was his back turned, when the vacant seat was reoccupied by an orator not less vociferous and importunate.

There are two favourite expedients employed by the more able among these holy cheats, to pick the pockets of the unwary, which seldom fail of success. These are a pretended knowledge of alchymy—or the art of transmuting metals: and the profession of sooffeeism—that aspiration after, and speculative inquiry into the divine nature—which, under so many shapes, has in all ages deluded the enthusiast, and turned the heads of the weak minded.

Adroit pretenders to the grand secret play their tricks with a dexterity that has set at fault even the most vigilant observation of sceptical Englishmen, before whom in fact none but perfect adepts would venture to exhibit. The late Sir J. Macdonald has related an instance of very extraordinary deception of this kind, performed in his presence. Another gentleman attached to the British Mission in Persia was witness to an exhibition precisely similar. In both, lead being required by the alchymist, pistol bullets, the readiest article of that metal at hand, were given to be fused, and in each instance a lump of pure gold, precisely equal in weight to the lead supplied, was produced. In the first case, the mode of deception was never discovered, the adept having been spirited away immediately after the successful experiment, by the followers of the Sheikh of Grane (in the gulf), to make gold for that chief. In the second the miserable operator, after in vain endeavouring to get his proposed dupe, the English gentleman, to advance cash for the purpose of *manufacturing more of the transmuting powder*; and seeing that his hopes of a good harvest in that quarter were at an end, came and humbly confessed the imposture; pointed out the sleight-of-hand trick, by which he had conveyed into the crucible the lump of gold—all his worldly wealth—at the same time that he abstracted the lead,—and received back from the good-natured Frank the bait with which he had attempted to entrap him. The coincidence in

point of weight was in this case an accident. We happen to know that, within this twelvemonth past, an Arab of Bagdad, who was employed by the present Pashah for that purpose, did actually accomplish an apparent transmutation of brass into gold with a dexterity that eluded detection by the master of the mint at that place, a shrewd Italian, who stood perfectly prepared, and desirous to expose the alchymist. Many modes were suggested by which, it was supposed, the pretender might have conveyed the gold into the crucible; but none of these could have been practised in the case in question, and the trick remained undetected.

We mean not to attempt a description or definition of the undefineable mystery of sooffeeism,—that strange compound of enthusiasm and imposture.

The secular portion of the class which we have been describing, and which is more properly designated by the generic term of *meerza*, scribe or secretary,—the *saheb kul-lum*, or man of the pen, in contradistinction to the *saheb shumsheer*, or man of the sword, is also a very influential order in the state and in society. From it are usually selected the ministers of state and the officers in charge of the several great departments of Government—the secretaries for the home, financial, and foreign departments, as we should call them, and others of a similar description. For, independently of the policy observed in the late reign to check the pride and power of the military nobles, by choosing many of the principal functionaries from the lower ranks, there has been found in these, doubtless from early education, a greater acquaintance with official forms and a more pliant and submissive spirit—greater and more available capacity, in short, than in men who, being chiefs of powerful clans, or strong through family connection, might, if possessed also of official authority, become inclined to entertain ambitious views, dangerous to the peace of the sovereign.

A *meerza*, in order to succeed, must not only be thoroughly acquainted with the rules and forms of epistolary correspondence with all ranks,—a science of itself in Persia,—as well as with official business, but be a capital penman besides; for in that country the mere mechanical excellence of writing a good hand is placed on an equality with the powers

of mind that give excellence of thought and style; and a specimen of caligraphy is at least as likely to forward the views of the writer as the most perfect effort of genius in the way of composition. Accordingly some of the most eminent meerzas at the two principal courts of Persia are, or have been, amongst the most accomplished penmen in that country; while, on the other hand, the abilities and political career of the late Hadjee Ibrahim, Meerza Sheffea, Meerza Abdul Wahab—the Sudder-Ameen, Meerza Buzoorg the former Kaimookâm, and his son Meerza Abul Cossim, who bore the same title, late Prime Minister to the present Shah, with many others who are gone, and some who still live in situations of dignity and trust, prove that the talents of this class are not confined to mere superficial accomplishments.

The order of meerzas may be recognised not less by their demeanour than their garb. The former, for the most part, is mild and conciliatory. Whatever may be their arrogance or ambition, it is seldom openly expressed; but they are thoroughly versed in deceit and intrigue, and make a boast of being able to mislead and cajole, when it is their game to do so, with infallible certainty. They seldom affect martial or athletic pursuits; nor do they wear a sword: indeed, it appears to be held no disgrace to confess that fear of all dangerous personal exposure, which many of them doubtless feel. “It is true I am a coward with the sword,” used the tall Kaimookâm to say;—“but show me the man in Persia, who is so bold with his pen. Match me at that if you can!” They do not assume much appearance of state, although a crowd of suitors or dependants always marks the estimation of those in office. In their dress they are generally plain, preferring sober colours and vestments of a fashion differing from that of the military orders; they may besides be remarked by their carrying a roll of paper, instead of a dagger, stuck in their girdle.

Besides those attached to courts, meerzas are to be found in every town, village, and community in the country. There is not a petty governor of a district; not a khan in or out of office; not the chief of a tribe or darogha of police, who is without his establishment of one or more of these scribes. They are wanted every where; for, as many, even of the better class of villagers, cannot read and still fewer can write, not



a letter is received or sent off without calling in a *meerza*, who must therefore be always at hand. They do more than the village attorney with us, for they often combine the functions of parish clerk and schoolmaster—in fact, many of them become teachers of youth, and pick up a scanty livelihood by instructing the children of the peasantry in the mysteries of reading and writing. *Medressas* or colleges are also supplied from this class, clerical and secular indiscriminately, with professors and teachers of the various sciences; and some of these acquire great fame, and no mean income, from the number of their pupils. But a great many who devote themselves to such duties fail, either through indolence or incapacity, and remain in a cell of the *medressas*, to which they had originally attached themselves, deriving a precarious subsistence from preying on the simple, and dividing their time between the bath and their cell, where they sit in listless abstraction, dozing over a book, or indulging in that never-failing solace of all care and source of delight, the *caleeon*.

We pass on to the next, or third class of Persian society—the “*Sheherees*” or “*Cits*,” as they are contemptuously termed by the military and *Eeliauts*, who are a mingled race of all the tribes and nations that have overrun Persia, together with the progeny of commercial strangers who have settled in it from time to time, engrafted on its original stock. They are a sober industrious parsimonious money-getting set of men, who, though prepared by education and forced by the extortion of their rulers into habits of cunning and deceit, are yet cheerful and sociable, quick, intelligent and active, good servants and kind masters. Among them are merchants of great wealth, who, though too cautious to make a display of their riches, yet live in comfort, and evince a degree of liberality and honour in their dealings, which would merit applause in countries where such virtues are more common. Even in the most despotic countries of the East traders and merchants enjoy a comparative degree of consideration and protection; and though, of late years in Persia, they have been frequently exposed to unwarrantable extortions by the improvident local governments; and although, from the unruly character of the tribes and the weakness of Government in some quarters, the property of merchants has suffered much from pillage, con-

merce, on the whole, has undoubtedly very much improved, and the mercantile body have acquired importance and influence, which are still increasing. They are great travellers, too—often proceeding in person to select the articles which their business requires, at the place of production; and among them therefore are to be found many men of well-informed and cultivated minds.

The shopkeepers and tradesmen are altogether an inferior order, and from being more entirely subject to the arrogance and caprice of the higher ranks, are greater adepts in cunning and deception. They are abjectly cringing to those whom they fear or wish to conciliate, and insolent in turn to those who are beneath them. Many of the mechanics are hard working industrious fellows; and it might edify a Jew of Monmouth-street to see the venders of goods, even in the coldest weather, sit cowering over their charcoal pots watching for a customer; while no Jew or Gentile can surpass them in earnest and reiterated commendations of their goods.

The *Sheherees* of Persia, from identity of habits and occupation, must every where possess strong leading features of resemblance in common; yet it is certain that a difference of character is discernible in different towns. The natives of Casveen, Tabreez, Sheerauz, and Yezd, for instance, are remarkable for courage, and even for turbulence; while those of Ispahan, Koom, Cashan, &c. are proverbial for their cowardice. But even the latter, on some occasions, evince a degree of spirit which is not to be restrained by the rank or power of those whom they address. Sir J. Malcolm gives an amusing instance of this in a dialogue which occurred between a brother of Hadjee Ibrahim, at that time prime minister of Persia, and who was himself Beglerbeg or governor of the city of Ispahan, with a green-grocer of that city. A new tax had been imposed on the shops, which the grocer declared himself unable to pay—“You must pay it, or leave the city,” said the governor. “I cannot pay it, and whither can I go?” replied the grocer. “Any where you please—to Shirauz or Cashan, if you like them better than this,” rejoined the governor. “Your brother is in power at the one, and your nephew at the other,” said the grocer—“what relief can I expect there?” “You may proceed to court, and complain to the king,”

replied the governor, "if you think I have committed injustice."—"Your brother the Hadjee is prime minister," observed the man.—"Go to hell," said the enraged Beglerbeg—"don't trouble me any more."—"That holy man, your deceased father, is probably there," retorted the undaunted grocer. The crowd were unable to repress their smiles at the boldness of their countryman, and the governor, sharing in the general feeling, bade the grocer retire, promising he would attend to his case, provided he would not bring a curse upon his family, by insisting that they shut him out from all hope of justice both in this world and that to come.

The changes, which the condition of the Persian peasant has undergone from the days of Aga Mahomed Shah until the present time, afford matter of interesting study. The warlike and oppressive reign of Nader exhausted the country both of men and money; and although, after a fierce and stormy interval, the southern provinces did gain a breathing time under the fostering reign of the good Kereem Khan Vakeel, the northern and eastern quarters of the empire still continued agitated by the struggles of Nader's progeny for power; while, after the death of the Vakeel, a contest no less desolating commenced in the south between the Zund and Kajar chiefs, and terminated only with the overthrow of the former, and the establishment of the head of the latter tribe upon the throne of Persia.

Aga Mahomed Khan, on his accession in 1795, found the whole empire of Persia in a state of extreme exhaustion; and though, with a provident and judicious policy, he encouraged agriculture and commerce so much as, in spite of his insane and atrocious cruelty, to gain the appellation of *Ryot purwar* "protector of the Ryot," the armaments he maintained and the wars he was forced to engage in must have retarded that increase either of agriculture or population, which it was his desire to promote. The stormy period of his own and the preceding reigns were succeeded by many years of external peace and comparative tranquillity at home, under the rule of the late Futeh Allee Shah; who, neither warlike nor cruel in disposition, contributed no further to diminish the population, however his avarice may have tended to impoverish it. Commerce increased as the ways became safe, and

many of the ruined or abandoned villages were re-peopled, or new ones built, under the fostering hand of some judicious governor.

Such however were the depressing effects of bad government and extortion, that improvement was at best partial, and in some cases, there was a decided tendency to retrogression. But besides the pervading system of venality and corruption, which tainted every branch of the executive government and was incalculably increased by the grasping cupidity of the Shah, there grew up in his reign another and most serious clog to the progress of national prosperity,—one which, unfortunately, increased with every year of his life; and that was his mode of providing for his numerous progeny. Son after son of his enormous family was quartered, first upon the provinces, then upon towns and minor districts, and at length upon almost every considerable village of the empire. Each of these princes had his court and establishment, which was maintained from the revenue that otherwise would have been remitted in full to the royal treasury. The payments to the crown of necessity fell into arrear almost everywhere, under this double drain upon the provinces; while the increased demands of their royal governors, enforced by the exactions and extortions attendant upon a most nefarious system of collection, so reduced the resources of the peasantry that at length the more distant provinces ceased to pay revenue to the crown at all. The income of the Shah has, of late years, been entirely derived from a few of the provinces and districts near to, and dependent upon, the capital.

So decided were the effects of this oppressive system, that several districts were almost depopulated by emigration and whole villages disappeared. Yet, in spite of all these depressing circumstances, so powerful is the *vis medicatrix* in political as well as in human nature, so great the buoyancy of the mind of man, and so strong its aspirations after improvement, that even in Persia, until within these last few years, there has been a great increase of population, trade, and agriculture. Commerce in particular has improved, and with it, as a matter of course, the exports of the country. Nothing affords a greater proof of this than the great influx of the precious metals. Persia, it is well known, has no mines

either of gold or silver, and yet a constant stream of both, in Russian ducats, German crowns, &c. &c., passes through it towards India, leaving a plentiful circulating medium in its course. The value of money has decreased in proportion to its plenty, and we find that the tomaun does not purchase nearly so much labour or produce as it did in the early years of the late reign.

Since the Russian war in 1827-28 and the subsequent campaigns in Khorasan, the course of improvement has experienced a considerable check. In the former war the border districts were exhausted and pillaged by the troops of both sides. In the latter, the whole line of country from Tabreez to Meshed, including a broad strip on either side the great lines of road, was almost utterly depopulated by the passage of armies; and the whole of Khorasan, with Yezd and a large portion of Kerman, was reduced nearly to a desert. In 1830-31 came the plague, a new and frightful visitant, and swept over the whole land with a fury, which in these happy climes can hardly be conceived. In the province of Ghilan scarcely one-fifth of the people survived: in several towns and villages it was even yet more fatal. Bushire was utterly depopulated—so was Kermanshah; and in Mazunderan the scourge was scarcely less severe. Three years of scarcity, amounting almost to utter famine, succeeded to the plague and consumed multitudes whom pestilence had spared. The horrors, of which many a city and district was the scene, are such as no language can do justice to; the streets and ways were strewed with ghastly objects, who found sepulture in the maws of wolves and jackalls alone;—hundreds—nay, thousands of miserable children were left, fatherless and motherless, to starve in the holes to which they had crept, like beasts, for shelter. Disease, the never-failing attendant on famine, came next and fell on those whom want had weakened, with a deadly gripe, that in some districts vied with the prostrating touch of plague. In the course of between three and four years of these accumulated calamities, it is calculated that the population of Persia lost nearly two millions.

The condition of the Ryot has necessarily kept pace with that of the country where he lives, and is found to vary in every district, according to the nature of the rule, to which he is sub-

jest. Where the effects of war have not been felt, and the hand of oppression has not fallen heavily, the situation of the Persian peasant is not uncomfortable. His house, though built of mud, is warm, and may be clean; and he can always spread a carpet, or felt nurmuds (the work, probably, of the women of his own family), on the floor of his best room, for the accommodation of a guest. He is comfortably clad in cotton or woollen cloth of home manufacture, or purchased with his own produce from the nearest bazaar. The fleecy skins of his own sheep afford him a warm covering in winter and a cap of the national shape for his head. His wife and children are equally well clothed. Silk handkerchiefs, European or native printed calicoes, stout home-grown and home-made cottons, compose the apparel of the former, who, as well as the children, and especially the girls, exhibit many coins and ornaments of silver about their persons. His family fare is generally frugal: good wheaten bread, in long thin flaps, cheese, sour milk, honey, grape treacle, herbs and vegetables—such as onions, radishes, beet-root—and some eggs occasionally; or a little meat, stewed or roasted in small pieces, or made into soup with a sort of pea or vetch, into which the bread is broken; and sometimes a pillau of rice well buttered, or with meat, and a few plums and raisins by way of feast; fruits in their season, or preserved by being dried; rice, or flour and milk, boiled with sugar into a sort of porridge; these things form nearly the whole of the peasant's bill of fare for the year round; but when a stranger of any consequence arrives, there are few respectable villages that cannot furnish him with a meal that leaves no cause for complaint, even though his cook be the wife of a peasant.

In former years, all this would have been freely and frankly supplied; and a moderate remuneration would have made every one within the walls grateful and contented. But since government exactions have increased—and, above all, since heavy demands for victualling troops, and heavy damages sustained from them on their march, have pinched the means of the peasantry, and given rise to suspicion and alarm, they naturally shrink from the sight of a party of strangers. The first word now-a-days that a villager utters in reply to a demand for shelter and supplies, is a solemn asseveration that there are none within his walls. Nothing can be more

striking to a traveller, who has twice seen the country, than the alteration, in this particular, within the space of the last twelve or fifteen years, and the increase of wretchedness and inhospitality where he formerly saw plenty and experienced kindness. The effect upon the national character is any thing but favourable. Although, in some instances, after experience has satisfied the people of a stranger's readiness to remunerate them, and of his disposition rather to befriend than to molest them, they have gladly received him again; in other cases, this willingness on his part to pay for all necessities—a disposition so widely different from that of their own countrymen—has been taken advantage of by the peasantry to extort an extravagant price for whatever they might be called upon to furnish.

Their manners, when confidence has overcome the barriers of doubt and alarm, will in general be found to be frank and simple. They will cluster round a stranger with infinite curiosity and interest, but without either rudeness or impertinence, and are easily repressed, if to repress them be desired. Soon after the traveller has alighted, and seated himself on the carpets that have been spread for him, his host and the chief men of the village usually make their appearance to welcome him—perhaps bringing some little present of fruit, or other delicacy—and, taking their seats at a respectful distance, remain gazing upon him, now and then venturing upon a few questions, and very ready, upon the smallest encouragement, to enter into conversation. They are perfectly open and communicative; they will discuss the characters of their immediate governors, explain their own grievances, tell him the amount of the taxes they pay, the irregular exactions extorted from them, and the resources of the surrounding country; abuse the royal family to him, and make him acquainted with their inmost sentiments upon all subjects. An affable and gracious manner opens their hearts, and a few expressions of goodwill send them from his presence, blessing his good nature and condescension, and praying that the “age” or reign of the “Dowlut Ingreze” (English nation) may soon come and relieve them from the tyranny of the rapacious Kajars.

During this time the women seldom appear, or are only seen flitting about at a distance, employed in their ordinary duties. But if, as often happens, the stranger be put to occupy a

part of the family room, which in winter is by far the warmest and most comfortable berth, he will see the females of the household passing to and fro, unveiled and void of scruple, just as he might see them in a cottage of Europe. If he gazes around him, he will, no doubt, observe some difference in the appointments and furniture of his den—a parcel of canvass and carpet bags of bedding and clothes in one corner; skins full of butter in another; a heap of weaving apparatus and half worked carpets in a third; mule and ass saddles, a matchlock and a sword or two, with various nondescript paraphernalia hanging on the walls; several large earthen jars, like great butts, containing grain; coals, and boots and caps, and trash of all sorts, strewn about, with cocks and hens and cats playing at hide and seek amongst the mass. All this, with a fire made in a hole in the centre of the floor, differs greatly from the better arrangement, the trim chimney, the bed, the chair and table outfit, and all the housewifery of an humble christian domicile.

The life of these Ryots is one of moderate labour. None of the operations of agriculture appear to be very toilsome. The soil is easily scratched by their light ploughs so as to prepare it for receiving the seed, and reaping the heavy crops, that often reward this small extreme of labour, is the most fatiguing operation they have to go through. The corn is reaped by the men; and so certain is the weather at the season of cutting it, that they leave it, without fear of spoiling from rain, in piles to be trodden out upon the field, or bring it home upon the backs of cattle and asses to the *Khermun* or threshing ground of the village, where the process is effected by the feet of cattle and horses. Amongst the most laborious as well as important parts of agriculture is the irrigation of the fields in spring after the seed has been sown. This operation is often performed at night, as the stream comes in turn to each farmer; and a traveller is often forced to diverge several miles from his proper road to avoid the mud occasioned by the overflow of these rills, while his ear is saluted from an hundred quarters by the voices of the peasants shouting out directions to each other regarding the course of the streams.

Sun-rise and sun-set are the hours to see a Persian village under its most characteristic aspect. By the break of day



all hands are active, the shrill voices of the women are mingled with the latest notes of the "chanticleers" that sit roosted above them, and the deep barking of the watch dogs; and one may see them sallying forth from their nightly lairs, and taking to the housetops, with garments huddled on in haste. Next come the men,—canecon in hand, clustering here and there around a blaze of weeds—the young indolently shouldering their great spades, and lounging off to their tasks. Before the first rays of the sun are seen darting up the sky, a huge bellowing and bleating makes itself heard, and from a score or two of black yawning portals out rush hundreds of sheep and cattle, horses, asses, and camels, bayed by several dozen of large fierce dogs, and belaboured by a score of stout young fellows with sticks and clubs, dashing, jostling, curvetting, and thundering through the narrow lanes, almost overturning the little dwellings in their course, while the shouts of their drivers add to the direful din. In a few minutes the rush has passed the gates, and all the environs of the village are seen covered with its live stock of all descriptions, streaming in every direction to their tasks and grazing grounds. The elders take their post by the gate, gazing on the departing youngsters, and waiting for the early beams of the sun to warm their stiffened limbs; but still the continued yells of the old ladies and the screams and uproar of the children, mingled with the vigorous remonstrances of their mothers, sufficiently testify that all within the walls has not yet subsided into the quiet routine of the day, and it is not for some time that the cessation of the clamour gives token that the village is reduced to its ordinary state of tranquillity.

As highly illustrative of Persian manners, we are tempted to extract from Colonel Johnson's work, a sketch which he gives of the mode of travelling adopted by the poorer classes in that country, and which we, from personal experience, know to be in the main as faithful as it is graphic.

"If the man has with him his wife and family, which is rarely the case, except with those who possess some little property, the wife and children ride on an ass, yaboo horse, or mule, she and the youngest child being covered up. Beneath the covering are also the provisions and clothes, in two bags, thrown across the beast's saddle, and over them, the bedding with a pillow, or a nurmul (felt-

carpet) rolled up: on these, thrown rather far back, the rider sits. There are rings and hooks of iron fixed to the saddle, on which various articles are hung, and reach nearly to the ground. These usually consist, *First*—Of a hair-cloth nose-bag for the beast, containing chopped straw or chaff. *Second*—A cylindrical case with a caleoon, having on its sides pipes for the tongs, an iron rod for cleansing the pipes of the caleoon, and its chillum and tobacco. The case is often painted or covered with carpeting. By the side of the beast walks the man, with a wallet on his back like a knapsack, and bearing a stick knobbed at the lower end; he has generally a child either on his wallet or on his shoulder; and sometimes one also walking by his side. The man is relieved by the woman from the ass as often as her strength will permit.

“ At the end of every mile or two, the party sit down on grass or stones, and, in preference, near water. They travel thus by moonlight, and in the cool hours of the mornings and evenings. After nine in the morning, in hot weather, they make a longer halt, for the purpose of preparing their victuals and of eating and sleeping.

“ Having predetermined on some place near water for this purpose, they begin at some distance, on their approach to it, to collect dry weeds, sticks, dung of cattle, and other combustibles, on or near the road, and thus continue gathering until they arrive at the selected spot. The ass is here unloaded and turned loose, with his saddle on, to pasture on the weeds: if the place be totally sterile, the bag of chopped straw is attached to his head, he being secured by the long chain fastened to his head stall, which serves on the road both for bridle and whip. The nurmaud is laid on the evenest spot of ground, in the shade, or behind the wall of a ruin, if there be one, to screen the female from view. The wallet or double bag, before mentioned, is then opened, the contents of which, if the traveller be not in a state of wretchedness, are a cup or wooden bowl of sour milk, a quantity of dough, worked up the preceding evening with a little leaven, tied in the tanned skin of a sheep or goat. This dough is exposed to the heat of the morning sun, or to that of the fire, to complete its rising. The *towa*, or flat iron baking utensil, is then unhooked from the saddle. It is of oval form about ten inches by five. They place it on the burning fuel to be heated, while pieces of dough are detached from the mass and adapted to the shape of the *towa*, being about a thumb's breadth at the edge and thinner in the middle, like a biscuit. They are wrought into this form by pressure with the fingers, and pricked with the point of a knife. The cake is slowly baked on the plate of iron, but not turned, the upper side being merely held to the embers till it is browned. During this process, sometimes performed by the female, but oftener by the man, one of the party goes to the nearest village to purchase a supply of some milk, unless there be some of the preceding meal remaining, in which case it is preserved in a leathern bottle hung at the saddle. It is mixed with water, and becomes a very sharp and acid beverage. This, and a portion of the wheat or barley cakes left of former meals, form the principal part, and generally the whole, of their daily nourishment. Sometimes they are so fortunate as to find a few berries, or wild sorrel, which serves to quench their thirst on the mountains, or a young thistle. This they dig out of the ground as deep as possible: the green prickly leaves and the top serve as fodder for the ass; the remaining part is eaten by themselves. Sometimes they may have had an opportunity, in passing through the last town, to add a few luxuries to their store, such as a hard white curd cheese, leaves of salad, a green melon, a few onions, or, at least, their top leaves, which they do not reject, some salt, and a few seeds of the poppy; the

latter, when stuck upon the flattened dough, gives the bread a soft and pleasant flavour. • • • • • In this minute detail of the travelling arrangements of the poorer Persians we may recognise many circumstances incidentally alluded to in sacred history. It is not likely that habits of life so simple and inartificial can have deviated much from those of the patriarchs of old. The repose in the open air, the preparation of bread, the leisurely journeying, and a variety of subordinate circumstances, associate intimately with the notions we gather from Scripture of a way-faring life, and perhaps from some of these solitary groups in the wilds of Arabia or Persia the painter might derive many interesting materials for the composition of a 'flight into Egypt.'"—(p. 139, et seq.)

The Eeliauts of Persia, who form so large and important a portion of the population, consist of a great variety of Nomade tribes, sprung from different original stocks scattered over the whole pastoral surface of the country, which, in proportion to the part which is cultivated, is enormously great. They are similar in most respects to the Nomade population found throughout the greater part of Asia, with this difference, that the latter having greater space to move in, and frequently occupying deserts with only spare spots of pasture, keep more apart and seldom intrude much among their agricultural or commercial neighbours; while "in Persia alone we find the anomaly of a large portion of the people with Nomade habits existing separately from the rest, yet residing in the heart of the community of which they form a part, supplying the principal military force of the country, its only hereditary aristocracy, and in general the sovereign himself."

It is difficult for the settled inhabitants of Britain to form a conception of such a population; but let them fancy the Highlands of Scotland, of Northumberland, or Yorkshire, instead of being occupied by flocks of sheep, tenanted by hordes of semi-savages like gipsies, living in low black tents, scattered in groups over the country, acknowledging no right of control but in their own chiefs, mixing little with the lowland people, and exceedingly addicted to plundering and thieving from their neighbours;—in short, what the Scottish highlanders must have been some centuries ago, excepting that these had always fixed habitations, whereas the Eeliauts of Persia frequently change their place of abode and keep chiefly to their tents; and that, instead of black cattle and black-faced highland sheep, we see the plains and hill pastures of Persia covered with herds of camels, asses,

mules, and fine brood mares, besides the domestic animals proper to a highland clan.

It is not, however, to be understood that these Nomadic tribes are either constantly on the move, or can rove at will over the whole country. Each has its own limits—its summer pastures and its wintering grounds,—its patches of cultivation and fixed abodes for its labourers, of which every tribe has some; and none can encroach on the beat of another without the certainty of a serious dispute. It is true that the summer and winter grounds, the *yeilâks* and *kishlâks*, as they are termed, are often distant from each other; and that the tribe in moving has to pass over tracts to which it has no claim; but all these matters are so well understood, that quarrels seldom occur unless where some previous exasperation has existed.

The Koordish tribes, though generally regarded as a distinct race, are no other than the descendants of a portion of the aboriginal inhabitants of the country, who originally dwelt in, or were at some early period driven into, the difficult mountainous district which they still occupy. The similarity of their habits and propensities, not less than of their language, assuredly a dialect of ancient Pehlivi, sufficiently attest this; and we may trace a confirmation of the fact in the tradition, which declares them to be the progeny of those who were saved (no doubt by flight) from the cruelty of the tyrant Zohauk. Of their antiquity there can be no question, for they differ but little even now from their ancestors, the brave Carduchii, described by Xenophon in his account of the celebrated retreat of the 10,000 Greeks. Among the principal tribes that inhabit what is properly termed Persian Koordistan, may be enumerated the Doombellee, the Zeelân, Hyderânlee, Jelâllee, Takoor, Mookree, Hakkaree, Dobokree, Seelkeh, Zerzaw, Bilbâs, Maamesh, Kara Kalpâk, &c. &c. The Bebah Koords of Suleimaneah, though that state is now subject to Persian rule, do not properly belong to the tract in question. But there are, besides those enumerated, the Koords of Adelân, a distinct province having its own peculiar tribes.

The whole of these tribes, which, as a glance at Colonel Monteith's map will show, occupy an extensive tract of

country, and compose a great mass of people, consider one another as kindred, and bear a marked general resemblance to each other, in habits, customs, and tastes, and even in dress and language; although each of the great divisions exhibits some distinction in point of fashion and of dialect. They are passionately fond of arms and horses, clothing themselves upon their warlike expeditions in shirts of mail and helmets of steel, as well as loading themselves with offensive weapons, among which are the lance, the javelin, the sword, the carbine or matchlock, and the pistol. "When a Koordish chief takes the field," says the late Sir John M'Donald Kenneir, "his equipment varies little from that of the knights of the days of chivalry, and the Saracen, who fought under the great Saladin, was probably armed in the very same manner as he who now makes war upon the Persians. His breast is defended by a steel corslet, inlaid with gold and silver, whilst a small wooden shield, thickly studded with brass nails, is slung over his left shoulder, when not in use. His lance is carried by his page, or squire, who is also mounted; a carbine is slung across his back; his pistols and dagger are stuck in his girdle, and a light scymetar hangs by his side. Attached to the saddle, on the right, is a small case holding three darts, each about two feet and a half in length; and on the left, at the saddle bow, you perceive a mace, the most deadly of all his weapons. It is two feet and a half in length, sometimes embossed with gold, at others set with precious stones. The darts have steel points, about six inches long, and a weighty piece of iron or lead at the upper end, to give them velocity when thrown by the hand." Such is the warlike costume of the Koords; and certainly nothing can be imagined more gallant and spirit-stirring than to see a band of them thus accoutred, with their picturesque habiliments waving in the gale, turning and winding their small but spirited steeds, and going at speed through the graceful exercise of the spear, or dashing through the rapid evolutions of a mimic fight.

Although the Koords are enumerated among the Nomade or pastoral tribes of Persia, it is not to be understood that they are entirely erratic in their habits. On the contrary, a large proportion of them are cultivators of the soil, resident in

towns and villages, like the fixed population of the country. Thus the large town and fertile district of Souje Bulagh is the residence of the chief, and many of the clan, of Mookree; as Ooshnoo is of the Zerzaw, Julamerig of the Hukkaree, Khoe and its neighbouring villages of the Doombellee, &c. &c. The Eeliauts of these tribes live in tents, and drive their flocks and herds to their pastures during summer, retiring in winter into villages that rather resemble a nest of burrows in the ground than human habitations. There they vegetate during the rigours of a season which covers the country with snow generally for five months out of the twelve, living on the forage they have collected during the warm weather, or driving their flocks to scrape under the snow for a little withered grass. In these caverns they remain huddled up with their cattle and women, until the return of summer sends them forth again to pasture and to plunder.

A desire to possess the property of others seems to be the ruling and characteristic propensity of all these tribes; and rapine,—whether on the great scale, in military expeditions under some leader of renown, or when, in lesser parties, they stop and strip travellers or rob caravans,—is the proper and professed calling of the Koords, although they do not probably in these respects exceed the expertness of their neighbours of the Lour and Lac tribes. The plunder of a caravan, worth more than 75,000*l.* sterling in merchandise and cattle, not two years ago, by the Jelallee Koords, a robbery which brought both the Turkish and Persian Governments upon their heads, is a sufficient proof of their audacity when booty is in question. The treacherous murder of the learned and unfortunate Schultz, by order of the Meer of Rewandooz, or by the Hakkaree Koords; and of Captain Grant, and Lieutenant Fotheringham, who, at a more remote period, fell victims to the unprincipled avarice of the Feilee chief, testify sufficiently to the suspicious jealousy with which they regard any attempt at foreign interference, and the extreme danger, which any one who risks himself in the country of those who set the authority of government at defiance, must be understood to run, even though his safety may be guaranteed by the strongest oaths, and provided for, ostensibly, by the most specious display of guards and guides to protect him.

The next division of the tribes, we have to mention, consists of those who are of Arab origin. These are mostly to be found upon the low land stretching along between the mountains and the Persian gulf, called the Dushtistan and Chaab, with Susiana and the skirts of the mountains, all the way to Koordistan. There are also some to be met with in Khorasan and Balkh, where they still remain a distinct race. Besides the more important tribes of Chaab and Beni Lam, and many others on the gulf, there are some whose origin has been traced to the early Arabian conquerors; but who, having settled among the indigenous tribes, have acquired both their habits and language; insomuch that they now are usually enumerated among them, even by the native Persians themselves. Such are the tribe of Zengenah, who spring from the followers of Hoossein the grandson of Mahomet, and who, after the persecutions and death of that chief, took refuge in the mountains of Koordistan. Such, too, are the Kelhores (called *Calors* by Major Keppel), who according to some, are the descendants of a number of beautiful women (Houries) collected by some false prophet to people his terrestrial paradise; the Gourans, the Wermezeear, and others, who also are, for the most part, Allee-Ullahees; that is, believers in the divinity of Allee, the son-in-law of the prophet.

The Arabs of the Dushtistan and Chaab retain the language and dress, and preserve the customs of their mother country. They are nearly as wild and impatient of control as their ancestors of Nejd; and are, like them, predatory, poor, frugal, and contented. The story of their contemptuous pity for a country like England, to which providence had denied the possession of a single date-tree, is too well known to need repetition. These are, of all, the tribes least available to Government, either as contributors to the revenue, or to the military force of the country. Those of Khorasan, on the contrary, transplanted to distant soil, although they preserve in some respects traces and appearances of the original stock, have yet in others assimilated themselves greatly to the manners of their neighbours, and contribute to government their share both of revenue and military force. The *Dusteh*, or regiment of Arab-Adjemies, furnished by certain districts in the neighbourhood of Shahrood, and commanded by the chief of an Arab tribe

who lives in the neighbourhood, did good service in the late campaigns of Khorasan.

The last division of Eeliauts, like that just spoken of, consists of strangers, who at various times have come into Persia from the plains of Tartary, and constitute what are called the Turkish tribes. The first appearance of these hordes in Persia is said to have been early in the seventh century, when a tribe named Khozars, under their chief Zubeel, issuing from the plains of the Volga, joined the Emperor Heraclius in Georgia and, entering with him, obtained a permanent footing. Since that period various races, by families, by names, or by nations, from the deserts beyond the Oxus and from the banks of the Volga, have poured periodically into the country. The Parthians themselves are supposed to be of Scythian origin. Next came the dynasties of Saman, of Ghiznee, and of Seljook, who descended from Toorkomans. The Moghuls, under Chenghiz, left no considerable colonies; but the Toorks, who came with Timour, deluged the country, and were succeeded, though less sweepingly, by the Oozbegs.

Besides these great inroads, many tribes, pressed forward by a teeming population, entered Mawuralneher, and settled on the desert between that province and Khorasan, from whence they have insinuated themselves into Persia. From these various marauders have sprung the noblest of the military tribes now in Persia. The Kajars, for instance (spelt also Kudgers, Cadgers, and in a variety of other ways), the ruling race at this day, and the Kara-Tatârs; the Beyauts of Nishapour, the Affshars, scattered all over Persia, the Mookuddums, the Jalloyers, the Gereilee, the Hadjilâr, and many others, came in with Timour; and the Ghileeches of Subzawar, in Khorasan, derive from the stock of Tocktamish the ruler of Kipchak, and doubtless accompanied that leader when he invaded Persia about the end of the fourteenth century.

The chiefs of these tribes, forming, as has been observed, the only hereditary aristocracy of the country, and being persons of great power and influence, are very much in attendance at court. Their children and the younger branches of the family, educated in the capital, where they are very generally retained as hostages for the fealty of their father and chief, become polished, and transformed into a strong resemblance of



the regular court dependants, whom they affect to despise; and losing in great measure that frank sincerity and blunt honesty, which is the boast of the Eeliauts, degenerate into the worthless and artificial character, which we have described as pertaining to the courtiers. Advancing in life after this sort of education, they either obtain service, military or civil, or return to their native districts, leaving their children to pursue the same course.

The traveller, who would see them in their true light, must go to their own countries, where, surrounded by their people, they appear to the greatest advantage. The immediate inducements to dissimulation being removed, they recover their natural frankness, and many of them are found to be liberal, hospitable, and intrepid, although too often passionate and overbearing. The smallest opposition or provocation calls forth their innate arrogance, and then neither prudence nor decency can restrain them. So well is this failing of theirs known, that even the sovereign, when he happens to have been the object of their intemperance, does little more than smile at the irascible ebullitions of an "Eeliautee."

The people resemble their chiefs in their rude and barbarous independence, in their savage recklessness of blood, and their insatiable thirst for rapine. Unable, from poverty, to gratify their passions, yet untaught to subdue them, their excesses, when opportunity offers, are frightful. With the precepts or practice of religion they are for the most part quite unacquainted, and scarcely observe its slightest external forms or most positive inhibitions. A Koord, relates the author of *Sketches in Persia*, in a free conversation on this subject with an English gentleman remarked that, for his part, he thought the religion of his tribe resembled that of the Franks rather than of the Persians.—"How so?" inquired the Englishman.—"Why," replied the other, "we drink wine, eat hogs' flesh, keep no fasts, and say no prayers." He had observed no public acts of worship among the British, and imagined they never performed any.

The same author gives a sketch from the mouth of an Affshar chief, which affords an interesting view of some of their domestic customs and feelings. "My father," said the chief,

“ had two brothers, one older and the other younger than himself. These four young men you see there are grandsons of my eldest uncle, who was head of the family; their eldest brother commands a troop of horse, all of the tribe of Affshar, with the king; and this is my cousin, the son of my youngest uncle. My family consists of six children; all, except one, by the same mother, my wife, daughter of Futeh Allee Khan Affshar, a famous chief, who on the death of Nader Shah (who you know was of our tribe), aspired to the throne. My good father-in-law however lost his life in attempting to become a king, and I married his orphan daughter—an excellent woman, but who carries her head rather high; as no doubt she has a right to do, from recollection of her father’s pretensions. Look,” said he softly, for the interior apartments were within ear-shot, “ look at that youngster at the other end of the room; he is my son. His mother was the daughter of a jeweller at Ispahan, an uncommonly pretty girl. He is a fine lad, but I dare hardly notice him; and he is, you see, not allowed to sit within ten yards of the grandsons of Futeh Allee Khan Affshar.—This is all very proper,” he added; “ it is attention to the dam, as well as to the sire, that keeps the breed good. Besides, the influence of females amongst us Eeliauts is very great, and if we did not treat them with respect, matters would not be long right. . . . My father and his brothers lived together, and we do the same. Our inheritance was equal, and each of the three branches is charged a day’s expenditure successively. Entertainments and imposts are paid in equal shares. We seek, by intermarriages, to strengthen those ties which are our only defence against oppression and destruction. We are Toorks,” he concluded, laughing, “ and consequently, you may suppose, have often violent quarrels; but the necessity of our condition soon reconciles us again, and we are at present, and will long, I hope, continue a united family.”

Perhaps the most delightful period of an Eeliaut’s life is the time when those who occupy villages, or stationary encampments in winter, having exhausted all their spring pasture, fly from the heats of summer, and leaving their fixed abodes, repair to enjoy the fresh breezes and luxuriant herbage of their

yeilâks in the mountains. It is the season of universal liberty and enjoyment; restraint is at an end, and every creature, man and brute, seems to bound with a freer step while inhaling the exhilarating air of these vast and elevated regions. Men, women and children shake off the listless air which hangs around them in the low country—the women particularly, who, in spite of the less rigorous customs of the tribes, are always subjected to some degree of restraint in towns and villages, enjoy their recovered freedom and ply their domestic duties, and those of the dairy, with renewed spirits. Tents (the well known *kara-châder* or black tents), temporary huts of leaves and branches, where there is wood, a few blankets or pieces of cloth when there is none, serve all the purposes of habitations; and the whole is to them something of what a picnic party or a fête-champêtre is to us—a season of pleasure and delight. The traveller reaching some eminence, which overlooks the valley where they have settled for the time, may see their tents stretched in clusters over the ground, and horses, camels, mules, sheep, and cattle, ranging at large around. The young men hunt, ride, and practise military exercises, or sit smoking in circles round a story-teller, who amuses them with his tales. The elders of the tribe have their separate, and more sober *réunion*. The chief, if he be there, has probably mustered a party of his family and friends to chase the mountain sheep or deer, or to bring down the Ahoobarreh or the mountain partridge with his hawks. The women meanwhile spin, weave carpets, make cloth, prepare the produce of the dairy, and cook for the evening's meal. The elder paupers of the camp and the boys look after the flocks and herds.

The march of one of these parties, when changing its place of abode, is an interesting spectacle. The main body is generally preceded by an advanced guard of stout young men, well armed. Then follow large flocks of the various animals belonging to the tribe, covering the country on all sides, driven by the lads and elder shepherds of the clan. Stout horses called yaboos, mules, and asses or camels, are loaded with the goods of the community, tents, clothes, pots, and utensils of all sorts, packed in "most admired disorder;" on the top of these heterogeneous burthens

may be seen sitting the elder children, who act the part of drivers; on others, the lesser urchins, who can do nothing but hold on, which they do most manfully, with feet and claws; on others ride the superannuated of the tribe—some bent double with age, and scarcely discernible from the rags, in which they are half buried. The young men and women bustle about, preventing, with the assistance of their dogs, the cattle from straying too far. The mothers, carrying their young infants, trudge along on foot, carefully watching their domestic goods; while the men, armed to the teeth, and duly prepared for action, pace steadily and in sober mood along the flanks of the column, guarding and controlling its gradual movements. A traveller cannot fail of being struck with the powerful frames, dark ruddy complexions, fine eyes, masculine features, but ruthless and determined looks, of these sturdy wanderers; and with the nut-brown hue, lit up with vivid crimson, that warms the cheek and gives brilliancy to the piercing black eyes and white teeth of their gipsy-like females—those we mean who can still boast of youth, for their beauty soon fades from exposure and labour, leaving behind it but a brown and shrivelled skin and deformed features, which realize our ideas of hags and witches.

We have not left ourselves space even to touch upon the Toorkomans of the northern border of Khorasan, or the Koordish tribes opposed to them in the same quarter. But we may possibly have occasion to recur to the subject hereafter, and to offer a few remarks upon that nation of fierce man-stealers. In the meantime we must bring our sketch of the Persian people to a close, regretting our inability to do the subject complete justice. It is, we repeat, a most interesting one to this country, and so it ought to be felt.

In former numbers of this review we have strenuously urged the importance of maintaining the independence and integrity of Persia. Our conviction is, that, if this object be overlooked or neglected, if it be not promptly and vigorously secured, the consequence will be irreparable injury to the British empire.

---

## ARTICLE III.

*The British Association at Bristol: 1836.*

THE great social purposes, which the British Association is destined to fulfil, when its powers shall have been developed and shall have taken a right direction, have been noticed so recently in this journal, that, on the present occasion, a brief reference to them will suffice. The chief good, which will immediately spring from this institution, is the diffusion of a taste for the knowledge of nature and her laws throughout all classes sufficiently elevated to possess a moderate extent of education. Its operations will also be attended with such a transfusion of the elements of human society through and among each other, that their moral affinities will be called into action, and the more precious constituents will impart a portion of their richness and splendour to the baser matter intermingled with them, without losing a shade of their own intrinsic beauty and value by the alloy. The ostensible object of the association—"the advancement of science"—will be one of its remote and indirect consequences, rather than its immediate effect. It is not by such means that conquests are made, and possessions established, in the *terra incognita* of nature; it is to the solitary toils of the laboratory, the observatory, or the closet, that the world must owe discoveries, either of phenomena before unnoticed, or of new arrangements and classifications of known effects, constituting generalizations of a higher order than the laws previously admitted into the code of science. Such discoveries were never at any age the product of men, meeting in large bodies periodically for discussion and intercommunication; nor yet of smaller numbers, assembling in committees with more special objects. If, when correspondence was slow, and the means of intercourse expensive and difficult, such effects were not to be expected from these causes, they are now least of all to be looked for, with such an agent as the press in hourly operation; and with means of communication, by which intelligence is spread, almost with the velocity of the wind, throughout every part of the world, conferring all the advantages of immediate co-operation on inquirers in opposite hemispheres.

Do we, therefore, infer that the Association "for the advancement of science," is a misnomer?—and that it will not attain the great end, to which its efforts are professedly directed? By no means. It will, doubtless, be a powerful instrument in extending the domain of human knowledge; but it will not do so by the means, or in the manner, which some of its members expect. Its immediate effect will be *DIFFUSION*; it will show how pleasant a thing it is to *KNOW*; above all, it will teach multitudes to feel the pure and unalloyed delight, which springs from the contemplation of general laws. By such means it will call into existence a myriad of inquirers who, without the suggestings and promptings of such minds as lead the operations of this institution, would never have directed a thought to science. They will be taught what to do, and how to do it; they will be drilled as recruits in the great scientific army, be taught how to effect their movements in combination, and be directed to ends, the full value and importance of which they will only discover after their attainment. The numerous body of privates, thus raised and disciplined, will subsequently furnish officers capable of leading on to conquest, and of extending the territory of knowledge. How much will the chances be then increased of the advent of some other Newton or Laplace, to raise the curtain, which veils the secrets of nature, and display new wonders to an admiring and instructed world!

Apart, however, from a consequence so grand, we may predict with certainty a vast number of small accessions to the mass of observed phenomena, from the multiplied and well-directed eyes which will be bent upon the processes of nature. Contemplative men will be taught, not as heretofore, to gaze upon the works of creation merely in passive meditation and wonder, but to pry into them with a curiosity irrepressibly active, and an attention skilfully applied. It is good that, by meditation on nature, the soul should be lifted to thoughts of nature's Author: but this high disposition should not be allowed to degenerate towards enthusiasm, so far as to paralyze the more active faculties of the mind. It is fitting that, in due season, the soul should prostrate itself before the throne of its maker; should teach itself, with all humility, to feel the littleness of its own powers and the utter inadequacy of its

faculties, compared with the magnitude and complexity of the machinery, moral and physical, with which it is surrounded and intimately connected: but, on the other hand, the dreaming and meditative habit to which such thoughts sometimes lead, is to be avoided as the barrier of all advancement in the knowledge of that very creation, the perfection of which suggests these sublime sentiments. While the great migratory body, to whose progress we now refer, will have a direct tendency to foster all those high moral feelings which are the best fruits of physical knowledge; it will, at the same time, by the spirit of active inquiry, which it must create wherever its influence extends, give a security against this injurious species of reaction; and by the spreading of information and improved intellectual culture, it will oppose the strongest barrier against the irruptions of enthusiasm and the encroachments of fanaticism.

That the British Association may speedily and perfectly accomplish these and the other high purposes which are within the scope of its powers, greater care must be bestowed upon its internal organization, and more skill must be exercised in regulating even the minute, and apparently trivial, details of its operations. Our sentiments regarding it as a body, as well as respecting its chief members, have been so frankly and so fully expressed on a former occasion, that no apprehension of being misunderstood, or fear of being misinterpreted, shall now prevent us from pointing out those parts of its proceedings which we think capable of improvement. If we omit, for the present, the language of praise, it is not because we do not find much that merits commendation; but because high general approbation, both of its objects and its principal means of attaining them, is so much a matter of course, that we should be only wasting the time and abusing the patience of our readers by dwelling upon such a topic.

It should never be forgotten that the numerous body of individuals composing the British Association consists of several different classes, having different attainments and qualifications, and expecting, and capable of receiving, different degrees and kinds of benefit and pleasure from the Society to which they have united themselves. It is abundantly evident, therefore, that its proceedings should not be directed

exclusively to the wishes of any one of these various classes: much less ought they to be confined to the objects sought by the smallest class, even though that class stand highest in the intellectual scale. All the members are entitled to a share of consideration in the arrangement and selection of proceedings; and there are reasons for making the interests of the class, which may be considered of least intellectual attainment, matter of paramount attention.

It is well known, in the places where the society has hitherto assembled, that there is no condition of eligibility into it, save that of being sponsored by one who is already a member of it; and as no instance of exclusion has ever yet occurred, the society must be regarded as an open one, into which any person, able and willing to pay twenty shillings for the current year, is admitted as a matter of course. The Association, therefore, is not only a very numerous, but a very mutable body. A large proportion of its members consists of the better class of inhabitants in the town where it assembles; and it is needless to say that such are only members *pro hac vice*. The following year they are replaced by a like number of persons inhabiting the district, whose fortunate lot it is to obtain the honour of affording house and home to the philosophical itinerants.

Another class of members consists of a, not inconsiderable, number of persons coming from a distance; who being in easy circumstances and unemployed, are attracted to the congress as they would be to a musical festival, or any other event which might afford a reason for collecting together a concourse. This class is also more or less mutable and cannot be regarded as a permanent branch of the society.

Last in order, and least in number, come the *savans*, real and fictitious; those who *are*, and those who wish to be *thought*, philosophers. These are the *staff* of the Association. The real *savans* are the performers on the theatre. The aspirers after science, the soi-disant philosophers, are the loungers and *habitués*, who are favoured with the privilege of the stage door; admitted to the coulisses; allowed the mute parts of noblemen and senators; occasionally decorated with a gilt crown; and not unfrequently indulged with the duty of



pronouncing the prologue or epilogue of the drama, or introducing in robed state the programme of the performances.

It is known that the body is resolved into divisions or troops, according to the chief heads under which scientific inquiries arrange themselves. These divisions, called SECTIONS, are badged with letters: thus the mathematical sciences are appropriated to section A; the chemical to section B; and so forth. The management of each of these sections is placed in the hands of a committee consisting of persons of reputed attainments in the branches of science, to which they are respectively devoted. It is the duty of these committees to select and arrange the topics, which shall be discussed at the meetings of the sections; and some member is appointed by them to open each discussion; any member of the Association being subsequently at liberty to deliver his sentiments on the same question, but no subject being allowed to be introduced, which has not been previously sanctioned by the committee.

The annual congress is continued for a week, commencing on the morning of Monday, and closing on the evening of Saturday.

On the Saturday previous to the opening of the congress, a body called, or we should rather say misnamed, "the General Committee," assembles. This is designed to be the supreme governing body of the institution, from whose authority must emanate all laws and regulations, from whom all sectional and other committees derive their powers, and to whose revision all decisions of committees are liable. This general committee consists of such members of the Association as have contributed papers to the transactions of some learned society. It is, therefore, a numerous body, consisting of above an hundred members. At the meeting of this committee, held on the previous Saturday, the business of the ensuing week, so far as respects the appointment of presidents, vice-presidents, secretaries, and committees of the sections, is supposed to be transacted. We say *supposed*, because in reality neither this, nor any other business, is transacted by the general committee; nor does that body exercise more than nominal power or control over the proceedings of the congress, or the affairs and property of the Association. It is even doubtful

whether it has the power of recommending any change in the arrangements, or any new regulation affecting the proceedings of the congress. As this is a point vitally affecting the usefulness and well-being of the Association, it will be right to explain it more fully.

When the society was first formed, a few individuals were necessarily delegated to make those arrangements in detail, which were unsuitable for discussion in a larger assembly. These individuals were called the COUNCIL, and their duty was to "*recommend*" for adoption by the general committee such measures as might seem to them most conducive to the efficiency of the Association. This council, thus appointed, recommended all the presidents, vice-presidents, and secretaries of sections, as well as the members of sectional committees. It also recommended the members of other committees (of which there are several whose functions it is not necessary here particularly to advert to); and finally it recommended *its own members* for the ensuing year. It was designed that the acts of this body should be really, that which they are nominally, recommendatory; and that its decisions should be carried into effect by the general committee adopting and ratifying them. It has, however, by some means or other happened, that the adoption and ratification of the decisions and acts of the council by the general committee have become so much a matter of course, that the latter body now possesses all the real power over the operations of the institution, and that its decisions are *de facto* final; no individual or number of individuals in the general committee can attempt, with the least hope of success, to dispute its dictates. Whether, therefore, it be for good or for evil, the Association has been, and is in fact, governed by a small number of self-elected individuals; subject, we believe, to very little change from year to year, and giving to the institution all the offensive character of a close corporation.

To illustrate the extent to which this principle prevails in the actual proceedings of the Association, we shall state one of many circumstances of which we were ourselves witnesses.

At the meeting of the general committee at Bristol on the last day of the late session, an eminent member of the body,—who has always taken a distinguished part in its proceedings,

and holds a high academical and scientific rank in the country, but who is not a member of the council,—rose and stated that he had several arrangements to suggest to the general committee, which he conceived would materially improve the proceedings of the Association. He was immediately stopped by the president as being out of order, and was told by the general secretary that no suggestion could be listened to by the general committee, *unless it came in the form of a recommendation from the council!* The member replied, that not being himself a member of the council, and in fact not knowing who the council were, he knew not how to give effect to his suggestions. He was answered, that “he might address them “in writing to one of the members of the council.”

It is true that this remarkable episode in the proceedings was not permitted to pass altogether without animadversion or protest, although the council gained their point by stopping the discussion. More than one member expressed his dissent from the principle that the general committee possessed a mere *veto* on the decisions of the council. The latter, however, adroitly waived the discussion, and without entering into any dispute about the legitimacy of their power, quietly continued the exercise of it.

Had the member just referred to been allowed to address the general committee, he would probably have said that he wished first to ascertain the sense of the general committee upon the measures which he contemplated; that it was possible that, in the course of a discussion upon them, useful modifications might be suggested; that by limiting him to an individual communication in writing to the council, the measures would be sanctioned merely by his individual authority, and would be deprived of the benefit, which would arise from public opinion having been in some measure expressed upon them. He might have even thrown out the supposition that one of the contemplated arrangements might affect the powers of the council itself,—its practice of perpetual self-election,—or any other suggestion, which it could not sanction without involving its own destruction.

Dismissing, for the present, the more than questionable principles on which this organization is based, let us consider its practical effects. *Does it work well?* This is a question

which it is difficult to solve, in the case of a new and unprecedented institution, from the want of a standard of efficiency, to which the working of the individual body might be referred. The British Association is one of those happy creations of society, which are so nicely adapted to the present state of the human mind that, even under an imperfect system of management, they will flourish. It is instinct with life, and rises superior to the abuses and defects of its own organization. We will not, therefore, ask—*Does it work well?*—because the very condition of its nature prevents it from working ill; but we will ask—*Might it not work better?*—and to this question there can be no hesitation in giving an affirmative answer.

The discussions which form the proper business of each congress are two-fold. *First*—Those which are carried on at the meetings of sections, each day; and, *Second*—Those which occupy the attention of the whole assembled body, each evening. In the sections questions of general science are discussed; and as it is understood that the members who attend them are conversant with the sciences to which they are respectively devoted, there is no restriction either as to the nature of the subject, or the manner in which it should be explained or illustrated. In order, therefore, to ensure the successful and regular progress of the sections, all that is necessary is a fit selection of topics—efficient secretaries to arrange the details—and judicious, experienced, and firm presidents to keep the discussions within those limits, which best contribute to general convenience and order. Whether these ends have been attained in any of the sections we will not presume to say; but we can safely assert, that in several of them they have *not*; and that, from our knowledge and observation of the working of the sectional committees, we cannot conceive the possibility of their accomplishment under the present system.

The Sectional Committees, with their presidents, secretaries, and officers, are not appointed until the afternoon of the Saturday previous to the Monday, on the morning of which the congress commences. The sections are appointed to assemble at eleven on the Monday and each succeeding day. They continue their discussions until three o'clock,

and often even to a later hour. The members assemble at dinner on some days at four, but never later than five. The general meeting of the Association is held at eight in the evening, and is usually continued till midnight. Under such circumstances, it is difficult to discover how or when the sectional committees can transact their very important business. To them belongs the selection and arrangement of the topics for each day's discussion in the respective sections; the appointment of proper persons to open each day's business; the care of providing, and fitly disposing, the necessary drawings, models, and other means of illustration. In the performance of this duty, various manuscript communications, from persons proposing to bring questions under the consideration of the sections, must be examined; a decision must be made on their eligibility as subjects of discussion. The only time left for the discharge of these duties is from ten to eleven each morning. The consequences are obvious. The sections meet always without sufficient, and frequently without any, arrangement of business. Many persons, qualified to assist in the discussions, are precluded by want of previous notice. The committees themselves, on entering the room, are often unaware what discussion, or whether any, is about to commence. Crudities and absurdities intrude themselves, from the impossibility of the officers, in the limited time allowed them, giving the necessary attention to the subjects proposed; and sometimes topics, which might be instructive and interesting, are excluded, from the unwillingness of more retiring persons to urge their adoption on the harassed and jaded members of the committee. In a word then, admitting the *efficiency* of the officers and committees of sections, they are not allowed the *time* necessary for the discharge of their duties.

But we do not admit the efficiency of the sectional officers. The committees, being in a great degree open, cannot be said to exclude any, who are justly entitled to be members of them. But this is a case in which more depends on the skill, judgment, and activity of the president, vice-presidents, and, above all, the secretaries, than on the committee as a body. These officers have not been, in every case, happily selected. The presidencies of sections have been conferred too much as

a matter of compliment, and accepted with too little sense of active duty. Within the pale of the Association, conventional rank and title should be consigned to oblivion; and those qualities only should be regarded, which best fit a man for the duties of the station, to which he is appointed. Even the higher attributes of mind are not always those best suited for the prominent office-bearers of the Association. A Brewster, or a Dalton, though infinitely superior, in the intellectual scale, to the great mass surrounding them, would be among the very worst and most inefficient persons, who could be selected to discharge the duties of some of the important offices in the society.

But the grand defect in the working of the sections, and that compared with which all others are insignificant, is—that sufficient *time* is not allowed for the committees to select and arrange the daily proceedings. For the removal of this evil we know but two expedients, one of which we suggested in a former number. If the meetings of the sections were held only on alternate days the committees might devote a portion of the intermediate days to making the necessary preparations and arrangements. This plan would likewise be attended with other advantages, which we enumerated on a former occasion. To this, however, it is objected, that the duration of the congress would be inconveniently protracted to a fortnight, and that the excitement necessary to the success and éclat of the Association could not be sustained. If there be just ground for this objection, there is but one other course by which the undeniable evil now existing can be mitigated, which is—to cause the officers and committees of sections to assemble a week before the commencement of the congress, to make the preliminary arrangements. Although such an expedient would, for reasons which we have not now space to explain, be less effectual than that which we at first proposed, it would still be attended with so many advantages that we would earnestly press it on the attention of all, who take an interest in the permanent success of this institution.

The defects of management, which impair the usefulness of the sections, are still more glaring at the evening meetings. These assemblies form the great attraction, which the congresses of the Association present to the numerous class of

members, who, not being addicted to science by taste, profession, or education, are merely attracted to the meetings by an excusable and laudable curiosity; not unmixed with a desire to obtain some instructive nutriment from the crumbs which fall from the scientific table. These also are the only occasions on which ladies are admitted, and they accordingly attend in large numbers, forming, not unfrequently, the majority of the assembly.

It is true that the Great Unlearned have an opportunity of seeing the philosophers at the *ordinaries*, where all members of the Association meet daily at dinner, on equal terms. But this class of members, including "the ladies," are not satisfied with merely seeing the scientific menagerie at "feeding time;" they flock to the theatre in the evening, to hear the lions roar. It is clear then that, on such occasions, they should at least roar intelligibly, and loud enough to be heard. They should also roar *delicately*, and so as not to offend the ears of the ladies; which precaution, we are sorry to be forced to admit, has not always been strictly attended to.

To be serious, these evening meetings must be reformed, else we fear that the *finances* of the Association, which are almost exclusively supplied by them, will fall into disorder. If the sectional meetings are deranged by their committees not being allowed time for the performance of their duties, the general evening meetings are afflicted by the non-existence of any committee at all. We have been active members of the Association from its origin; but, notwithstanding diligent and curious inquiry, we have never yet been able to discover who are the stage-managers of those evening meetings. Almost every member you encounter asks who they are, and no one can answer the question.

The evening meetings, be it remembered, consist of some two or three thousand persons of both sexes. In fact, hitherto, the numbers attending them have been limited only by the capacity of the largest room, or theatre, to be found in the place where the congress has been held. Those only who are accustomed to address such assembled masses, can be aware of the care, which must be bestowed on the previous arrangement of the matter provided for their instruction and entertainment; of the skill necessary in the selection of prolocutors, and of

subjects, to prevent the exhibition from becoming intolerably dull or eminently absurd. It is not our wish or purpose to produce in review the circumstances of these meetings either at the recent or former congresses. Suffice it to say, that although in a few instances, they were all that they ought to be, yet, in by far the greater number of cases, they have not been such as to give to the real well-wishers of the Association any other feeling than one of dissatisfaction and regret.

Either of two courses is open to the managers of the Association. Let these multitudinous assemblies be altogether discontinued; or let such performances be prepared for them as they can understand and appreciate, and from which they may derive solid instruction, reasonably intermingled with rational entertainment. Let speakers be selected, possessing physical powers to be audible, and mental powers to be intelligible. Among the leading members of the Association there are not a few qualified by nature and attainments to address such an audience—with tact to select and arrange their topics—with eloquence to clothe their thoughts in graceful language, and to adorn their reasoning with pointed and appropriate illustrations—with skill to throw their subject into a form which, while it is popular and elementary, loses nothing of the strictness of scientific logic. Such speakers will not fail to command the attention and reach the understanding of an audience as numerous and mixed as any, which shall ever present itself at these meetings. But in addition to these qualifications, care must be taken that the speakers, however eminent they may be by their talents and acquirements, shall possess such taste and discretion as shall render it impossible for them to offend the feelings of those they address, by indulging in attempts at pleasantries, which are not very suitable to the place or to the occasion. Such breaches of propriety have already produced strictures upon these meetings, which though they have been keenly felt by some of the leading performers, have not been attended with the desired effect of checking the evil. Ardent supporters as we are of the Association and its great purposes, we cannot affect not to perceive, and we will not so far sacrifice truth as to deny, the existence of *the thing* at these meetings, to which the offensive term “buffoonery” has been unkindly, and somewhat coarsely, applied.



Has there been one individual present at these assemblies, who is not in a moment sensible to what passages this harsh name was given? and however he may dissent from the strict propriety of the application, or recoil from the unfriendly spirit which prompted it, must he not at once acknowledge the existence of the offence which provoked it? We have said, and we repeat it, that the offence has not been discontinued—that it has been repeated to the distress and annoyance of every one of good taste, whether among the performers or the audience. We have, however, recently witnessed another violation of propriety of a more serious kind, to which it is impossible to advert without pain, but to which not to advert would be an unpardonable dereliction of duty. At the late congress, in an unguarded and indiscreet moment, language was addressed to an assembly including British matrons surrounded by their daughters, which was allied to a more grave offence, in nearly the same manner as that previously noticed was related to *buffoonery*. Every husband and father present will be conscious of what we allude to. We are content to glance at these offensive excrescences. They must suffer excision, or they will destroy the strength and health of the body upon which they grow.

It is with concern that we feel ourselves again compelled to notice the habit which seems to have fastened itself upon some of those members, who are most frequently put forward as speakers, of flinging at each other the most fulsome and exaggerated personal panegyrics. What can we add to our former remarks to give adequate expression to the unmixed disgust, with which these offences against taste and decency are listened to? We can only say, and we say it with most unaffected pain, that the vicious indulgence in strains of reciprocal adulation of the most farcically superlative kind has never been more unbounded than at the late Bristol meeting. So rooted does this disposition seem to be, that we confess our despair even of the power of the press to eradicate it.

We have already exceeded the limits which we had proposed to ourselves for this article, and we must, for the present year, dismiss this important and interesting topic. It has been foreign to our wish to inflict pain upon any members of the Association, and least of all upon those eminent persons, to

whose labours in the investigation of nature our species stands so deeply indebted; and to whose energy and zeal it is owing that the British Association has grown to be one of the most remarkable and important institutions, which will signalise the annals of the present era. It is impossible to appreciate too highly the scientific efforts of these distinguished individuals; and we could not have constrained ourselves to express our disapproval of the comparatively few objectionable parts of their proceedings, if we did not feel sensible, that the good which they have effected is so great and so extensive that they can well afford to suffer a little castigation for those occasional lapses, which may probably, after all, be ascribed to the want of that quickness and tact, which can only be acquired by more intercourse with society than has been hitherto consonant with the habits of the philosopher. At all events, we repose upon the assurance that, where there exist such exalted powers of mind, there cannot fail to be a foundation of good sense and good feeling, which would ultimately turn our strictures to a profitable end, even were they less just than we believe them to be, or expressed in more harsh or offensive language than we are conscious of having used.

---

ARTICLE IV.

*Documens statistiques sur la France, publiés par le Ministre du Commerce, 1835.*

*Journal des Petites Affiches. Paris: Juin et Juillet, 1836.*

*Plan du Chemin de Fer de Paris à St. Germain (Seine et Oise.)*

*Plan Cadastral de la Commune d'Argenteuil (Seine et Oise\*.)*

NOTHING can more clearly prove the difference between the social tendencies of France and Great Britain, than the actual

---

\* We have intentionally confined ourselves in this article to the technical terms current in the land of whose relations we treat; for, as the various classes of men, the various measures of land, value, and produce, are essentially different in the two countries, we preferred entailing upon our readers the necessity of mastering a new vocabulary, explained by us in our notes as far as it was capable of explanation, to giving vague, inadequate, and consequently deceptive translations.

state of property in the two countries, and the changes through which it has passed. Here we find the greatest concentration ; there the most extreme division. On one side of the Channel, the soil, possessed by a small number of proprietors, and cultivated by a few farmers, is immoveable in their hands. On the other reigns an agrarian law, where every one has his share in this property, torn as it is into shreds. It would seem as if Providence had designed to exhibit England and France, as examples, the latter of an equality pushed to its extreme consequences, the former of the excesses and abuses of inequality.

In the United Kingdom, as on the Continent, the great estates are of feudal origin. It was the conquest, which, consolidating the lands into fiefs, formed vast inheritances, entailed by law in particular families ; but every where else, and in proportion as the law became more and more democratic, property has gradually fallen, in consequence of the various subdivisions it has undergone, into the innumerable hands of the *bourgeoisie*. In England, whilst liberty has been extended, the soil has not changed its masters ; and this is explained by the fact that the concentration of property is favoured by our national manners, as much as by our institutions.

In this manufacturing country, both the character of the people, and the circumstances under which it has grown up, have naturally led to the accumulation of wealth. Recent as its origin is, property founded upon manufactures seems no less colossal in its proportions than that founded on land. The tendency of capital, like that of land, is to concentrate itself, and for the same reasons. A Manchester manufacturer sends out every year a quantity of printed calicoes equal in amount to the produce of all the workshops of Mulhausen. A *marchand de nouveautés* in London or Glasgow will employ annually a million sterling. A brewery like that of Whitbread, worked by a regiment of horses, and an army of men, supplies yearly three hundred thousand barrels. Whilst the iron used in France is prepared in three or four hundred forges, the thirty or forty furnaces of Birmingham supply the demands of Europe and of the United States. In fine, so congenial are great establishments to the habits of the English, that an association of individuals, as that of the East India Company, have held *en fief* countries of an immense extent, and have reigned

over a hundred millions of men without exciting the jealousy of the government.

All the revolutions of England, political, religious, *industriel*, have favoured this consolidation of property. Created by the conquest, at the end of the eleventh century, out of the spoils of the subdued Saxons, it was increased in the sixteenth by the spoliation of the clergy, and in the beginning of the eighteenth by the division of the great common lands. The Revolution of 1688, by placing the sovereignty in the Parliament, invested the aristocracy with it. Riches and power passed into the same hands, whilst the value of the land was augmented by the progress of industry. The substitution of agriculture on a large, for that on a small scale, had the effect of a new concentration of property. After the proprietors, the farmers formed themselves into an aristocracy. The small farms disappeared from the soil, the wheat lands were converted into pasturage; the families which had cultivated them, at first as owners of the soil, afterwards as lessees by virtue of contracts which were almost hereditary, saw themselves reduced to the precarious condition of day-labourers. Like the proletarii of ancient Rome, it became necessary either to support them by poor-rates, or to give them a new world to conquer, the world of commerce and of manufactures.

In France, on the contrary, the system of cultivation on a small scale (*la petite culture*) has always prevailed, even when the lands were united in great domains, and each village had its *seigneur*. Long before the revolution of 1789, property began to subdivide itself into small portions; the aristocracy lost or dissipated their wealth in proportion as they were despoiled of their authority. The laws, impressed as they still were with the stamp of feudalism, struggled in vain against the equalizing tendency of manners and opinions. Arthur Young, travelling in France some years before the downfall of the ancient order of things, even at that time remarked, and, in the spirit of an Englishman, deplored the division of property as too powerful an incitement to the increase of population.

"If you would see a district, with as little distress in it as is consistent with the political system of the old government of France, you must assuredly go where there are no little properties at all. You must visit the great farms in Beauce,

Picardy, part of Normandy, and Artois, and where you will find no more population than what is regularly employed and regularly paid; and if in such districts you should, contrary to this rule, meet with much distress, it is twenty to one but that it is in a parish which has some commons that tempt the poor to have cattle—to have property—and, in consequence, misery.”—(*Young's Travels*, Vol. I. p. 471.)

Since these remarks were written, the population of France, which Young then considered exuberant, has increased by eight or nine millions, and the means of subsistence have multiplied still more rapidly than the population. The revolution of 1789 did precisely what our illustrious *agronome* dreaded; yet, by rendering the people proprietors, it has not rendered them miserable. They are better fed, better clothed, better lodged now than they were fifty years ago. Whatever opinion may be formed of the economical consequences of this division of property, it must be acknowledged that it has contributed to elevate the morality of the nation; for man is really ennobled by the possession of the soil.

The revolutionary period was nothing else than the invasion, the conquest, and the partition of the territory between the conquerors. The *tiers état* seized upon the estates of the clergy, of the noblesse, and of the corporations. Property held in mortmain, or subjected to the laws of entail, was restored to commerce, to which it brought a capital of more than two *milliards* of francs (eighty millions of pounds sterling). However, this *morcellement* or system of extreme subdivision, though commenced in 1792 and 1793, was only completed forty years later, under the Restoration. When the property of the emigrants was sold, it appeared sufficient to divide it into 452,000 lots, each representing a medium value of three thousand francs (120 pounds sterling). These lots have since been crumbled into dust, and form, at the present time, from four to five millions of parcels.

The regulations of the *code civil* on the subject of wills, the effect of which has been much exaggerated, have operated rather as an obstacle to concentration, than as an instrument of division. The code, it is true, favours the equal partition of property, by reducing the disposable portion to a fourth of the testator's estate, if he has children; but this equal division has few inconveniences in a country where the classes possessed of property generally practise the *moral*

*restraint*, recommended by Malthus, and where large families are only exceptions to the general rule.

Were the extreme subdivision of property in France the effect of her institutions, the giving an opposite tendency to the laws ought to be sufficient to arrest its progress; this has been tried in vain. Napoleon created *majorats*; Charles X. re-established the *lois de substitution*; and both were swept away, without leaving the least trace of their existence in the habits of the nation.

Great estates have been in some degree re-established by the largesses of power. Under the empire, and on the first return of the Bourbons, the emigrants were replaced in possession of all their property, which had been sequestered, but not yet alienated. The indemnity law, at a later period, conferred eight hundred millions of francs\* (thirty-two millions sterling), on the dispossessed proprietors, as a compensation for their losses. Places, favours, pensions, were prodigally bestowed upon them; France was subjected to a contribution during fifteen years, and of these spoils, the patrimonies, which the ferment of the revolution had destroyed, were partly recomposed.

If, under so many favourable circumstances, the recomposition of the great estates has not balanced the tendency to decomposition, it must be attributed to causes, not very apparent, but not the less real—to the state of wealth and of intellectual cultivation—in a word, to the state of society.

It cannot be too often repeated, that France, as it actually exists at the present moment, is a social body of recent formation, whose strength and faculties have been as yet but feebly developed; which has not yet had time either to amass or to lay up; and in which all things—education, religion, capital, and industry—are still in an *état parcellaire*. The division of the soil is only the exact symbol of this state of civilization.

In England, great estates are sold without difficulty, because large fortunes are not uncommon among us, and are con-

---

\* After the Revolution of July, M. Laffitte caused to be annulled the *rentes* which still belonged to the *fonds communs*, and which represented a capital of 200 millions.

tinually increasing in number\*. Estates of three, four, five, or six thousand acres are daily advertised for sale, in the public journals. If it be desired to dispose of it in smaller parcels, a domain of fifteen hundred acres is divided into twenty or thirty lots, each one of which would constitute, on the other side of the channel, an estate of the medium size.

In France, estates of a certain extent have no marketable value; in order to bring them to sale, it is absolutely necessary to divide them, and to attract by these means, investments of small capitals. The peasant is an economist, he earns good wages, and lives on little. As revolutions and invasions have rendered him distrustful, he neither confides in the *rentes sur l'état*, for the state formerly declared itself bankrupt; nor in the *caisses d'épargne*, for they lend their funds to the treasury; nor in the *entreprises industrielles*, for they are subject to the chance of being badly managed; he has no faith but in the soil, the only property which cannot be carried off by the stranger, or confiscated by power. As soon as he has amassed a few *écus*, instead of laying it out in improving the *arpent*† which he already possesses, he buys, one after another, new slips of land, to round off his little estate.

This well-known passion of the peasantry for landed property, has given rise to barbarous, but lucrative speculations. The first who engaged in them were wealthy mechanics, whose plebeian instinct—an instinct which, while it remains unenlightened, is one of destruction and levelling—soon revealed to them this source of profit; the first band was composed of braziers (*chaudronniers*), and sellers of old iron, who knew the value of rubbish; they descended, like a flock of vultures, on the great domains and the ancient châteaux, buying these ruins for almost nothing, and re-selling the materials at an extravagant profit. The land was divided into lots of one or two *arpens*, the châteaux were demolished and sold, the stone as stone, the wood as wood,

---

\* In 1812, Colquhoun estimated the number of proprietors in England, enjoying a yearly income of upwards of 800*l.* sterling, at 120,000.

† An *arpent* is to an acre, as 34 to 40.

and the iron as iron; thus the last vestiges of feudal art, and of the feudal régime, disappeared from France.

Now that there are no more châteaux to destroy, the current of speculation has turned upon the estates of the medium size; wherever they can be reached, it decomposes and distributes them. The bankers followed the *chaudronniers*; then came the country usurers, the *agens d'affaires*, the notaries, and the *avoués* (attornies). This speculation has only ceased for the last two years, because the small purses have been for a moment exhausted by reiterated bleedings. Popular tradition has confounded all the speculators under one common denomination, which shows that the accomplishment of this *morcellement* was not witnessed without a species of superstitious affright; the name of *bande noire*, the black band, adheres to them.

In certain departments, wherever the peasantry have enriched themselves by industry or by emigration, the peasants themselves have taken the lead in these speculations; they tempt the proprietors, by offering them two or three times the value of their property; and in consequence of this competition, the price of land has risen to such a point, that the proportion of the revenue to the capital does not exceed one per cent. But what care the small farmers, that the profit of capital is diminished; it is enough for them that the land repays them for the labour they bestow on it.

The department of *La Creuse*, for example, cut up into narrow, deep, and not very fertile valleys, would seem destined to be a country of forests, of pasturage, and consequently of great estates. Circumstances have modified this natural destination of the soil; in the spring of every year, 25,000 young men, the tenth part of the population, leave their homes to hire themselves at Paris, as masons, stonecutters, and carpenters; they return to their mountains in the month of December, carrying with them, on an average, two hundred francs each, and altogether five millions of francs (200,000*l.* sterling); this sum is immediately applied to the purchase of land; and the multitude of buyers is so great, that soils, at the most, of mediocre fertility, being thus exposed to a sort of perpetual auction, rise every year in value.

In those departments in which commerce and manufacturing industry are prosperous, the *bourgeoisie* of the cities have con-



verted their savings into landed property. Their purchases are made as their profits are gradually realized, that is to say, by small sums and in small lots; a tradesman considers himself rich, if he possesses fifteen or twenty *arpens*; a peasant, if he has painfully acquired eight or ten lots, of half an *arpent* each.

When these little estates are divided by inheritance, compensation among the children is not made in money; each one claims his share of each lot; there are as many partitions as there are pieces of ground: such is the effect of the law of equality, when expounded by ignorance and selfishness.

Marriage recomposes the fortunes, but not the domains. We have seen with what facility this extreme subdivision is effected; these parcels, which had no exchangeable value before they were detached from the mass, and which have acquired a positive one by becoming isolated, contract an ideal and illimitable value when it is attempted to reunite them. An *arpent* of land is worth a hundred *écus* (twelve pounds sterling) in an estate of two hundred *arpens*; if that single *arpent* stand alone, it is worth fifteen hundred francs (sixty pounds sterling) to the peasant who possesses it; let a neighbouring proprietor try to purchase it, and he will be compelled to pay at least twice the amount for which it was bought by its present occupant. He who possesses no land may acquire it; the moment that he has a few *toises*, and wishes to enlarge his possessions, obstacles multiply themselves on every side. In the present state of France, individual wealth, even with the assistance of perseverance and time, is as powerless as the law to enlarge the basis of property.

But this is not all. The great domains, which escaped the division of the proprietorship, have been, in their turn, cut up by the system of culture. The soil is divided into small lots for the purpose of farming, as well as sale; and the owner secures the same advantage in both cases. The peasants, when unable to become proprietors, desire at least to possess the land in the quality of farmers; where a farmer, having capital and giving real guarantees for the performance of his contracts, offers a rent of thirty francs (24 shillings) an *arpent*, the small farmers will, without hesitation, offer forty. The owner of the land, on his side, does not consider the state in which the

soil will be returned to him, whether ameliorated or exhausted; nor whether the small cultivators be capable of complying with their engagements; he sees nothing but the increase of his rents, and the factitious value which his property must derive from it. The notaries encourage these arrangements, because instead of one lease, they have to prepare twenty, and find their income increased in proportion. Thus large farms are still more rarely to be met with than large domains. La *Beauce* itself, that vast plain at the gates of the capital, where the plough might formerly traverse a hundred and fifty or two hundred *arpens* without crossing the limits of a single farm, which existed as a sort of experimental field, in which every discovery of science was adopted almost as soon as known, is now covered with small cultivators, an ignorant and prolific race, like the peasants of Ireland. Out of one farm twenty have been made, in which industry has no other excitement than a wretchedness, which it will certainly never alleviate.

We have enumerated the causes under the influence of which property has been divided and subdivided in France for the last forty years. It is of importance to ascertain the pitch which this system of subdivision has reached at the present time.

It is established by a document laid before the Chamber of Peers in 1826, by M. de Villèle, and already cited in this Review, that, during the space of ten years, from 1815 to 1825, the number of *cotes* (or amount paid by each tax payer) above a thousand francs (forty pounds sterling), was reduced one-third; the number of *cotes* above five hundred francs, a fourth; and the number of *cotes* paying from 100 to 500 francs, a fifth. During the same period the *cotes* below 20 francs, the lowest degree in the scale of wealth, had increased more than a seventh. In 1827 there were only 40,000 electors in France, paying taxes to the amount of 500 francs.

Let us consider these facts in their full extent. In 1815 there were ten millions of *cotes foncières* (amount of taxes on land and houses); in 1833, 10,896,682. In eighteen years the number of tax payers has increased a twelfth, in consequence of the subdivision of fortunes. The change, as has been seen, is rapid; where will it stop?

The *Documens Statistiques*, published by the minister of Commerce, contain the actual division of property, according to the *cadastres*, or land registers. The extent of taxable, and consequently of productive land, is 49,863,609 hectares\*, divided into 10,896,682 cotes†, comprehending 123,360,338 parcels. Thus each cote represents, on an average, twelve parcels, and each parcel about 40 ares (an acre). Not only is the number of proprietors infinite, but each of them possesses only fragments of land frequently lying far apart from each other; so that it is impossible to cultivate them with any economy, either of time or labour.

But the information furnished by these statistical tables cannot convey an accurate notion of the extent to which this subdivision prevails. How in fact shall we distinguish, in this mass of figures, the proprietors who pay a tax of five centimes from those who pay 500 francs? We will cite, by way of example, one or two individual cases, collected from different sources; the rest may be judged of by induction.

Let us open the *Petites Affiches*, those archives in which the secrets of property are deposited. The first announcement, we remark, comprehends four lots of land, situated in the department of the Seine, and sold for the purpose of being united within the circumference of the detached forts: the first contains 6 ares, 40 centiares; the second, 8 ares, 54 centiares; the third, 8 ares, 54 centiares; and the fourth, 9 ares, 71 centiares. Altogether less than the third of a hectare!

Nothing can be more curious than the descriptions of these domains; their proprietors have found the means to vary the system of agriculture, and to cultivate every species of produce within the space of a few square feet. "This piece of ground," says the *procès-verbal* of the *Petites Affiches* of a lot which amounted to 17 ares, "is of a long and regular form, divided into two parts, planted at its two extremities, north and

---

\* The hectare, a measure of a hundred ares, or of 10,000 square mètres, is equal to two acres and a half. The are contains a hundred square mètres; the mètre is to the yard as 10 to 9.

† The number of cotes does not indicate exactly that of the proprietors. A proprietor may possess lands, and consequently be enrolled on the list of taxpayers, in several arrondissemens.

“ south, with vines!” Such a plot is the kingdom of the proprietor, and he takes care that its advantages shall be made the most of.

This domain of 17 *ares* is comprised in a sale of fifteen lots, of which it is the largest. The others are, on an average, of not more than four or five *ares*: among the number, we observe a lot of 2 *ares*, 13 *centiares*; a second, of 1 *are*, 71 *centiares*; a third, of 1 *are*, 37 *centiares*; and a fourth, of 1 *are*, 2 *centiares*. The smallest of them contains some gooseberry bushes, a cherry-tree, and a walnut-tree. In the environs of Paris, the fee-simple of such a morsel of land is worth about 60 francs; yet, the peasant who owns it is probably proud of his possession.

Let us turn to the department De L’Aisne; here the property of a minor is for sale, and, according to the received principle, it is divided, that it may be disposed of to greater advantage. It is cut up into 34 lots\*, varying in value from 6 to 800 francs. In certain cases the vendor stipulates that the lots shall not be reunited!

The railway to St. Germain, counting from the wall which encloses the city of Paris, extends over a distance of 17,806 *mètres*. In this space of about four leagues and a half (eleven English miles), it encounters three important estates, and among them the Bois du Vésinet, a domain of the Crown,

* Lot.	Ares.	Centiares.	Francs.	Lot.	Ares.	Centiares.	Francs.
1. ....	13.....	25	valued at 150	18. ....	31.....	35	valued at 275
2. ....	22.....	43	200	19. ....	30.....	28	230
3. ....	17.....	17	200	20. ....	18.....	44	120
4. ....	9.....	44	40	21. ....	10.....	95	25
5. ....	10.....	30	100	22. ....	12.....	51	15
6. ....	65.....	68	700	23. ....	10.....	98	70
7. ....	82.....	40	750	24. ....	15.....	54	55
8. ....	20.....	60	150	25. ....	10.....	30	6
9. ....	61.....	24	100	26. ....	19.....	14	180
10. ....	18.....	80	200	27. ....	2.....	14	20
11. ....	53.....	68	750	28. ....	6.....	8	25
12. ....	93.....	86	400	29. ....	71.....	8	400
13. ....	31.....	16	300	30. ....	24.....	48	150
14. ....	31.....	47	250	31. ....	65.....		200
15. ....	21.....	34	80	32. ....	14.....	44	150
16. ....	10.....	30	50	33. ....	14.....	90	100
17. ....	20.....	95	70	34. ....	63.....	72	800

extending together over a distance of 3851 *mètres*, or nearly a league. If we subtract these three estates from the total length, there will remain a space of 13,948 *mètres*, which, divided into 1502 parcels, or among 998 proprietors, gives an average of 107 parcels, or 72 proprietors, for every thousand *mètres*\*. Here, then, is a company which, before it can commence a work of public utility, must enter into composition with, or prosecute before the tribunals, a thousand opponents, within a distance of three leagues. What obstacles to be surmounted—what sources of disgust to be encountered! All these small proprietors are but half educated, and have little comprehension of their true interests; they are incapable of calculating the additional value which a new and rapid communication must confer upon the remainder of their property. Thus the extreme subdivision of the soil offers a formidable resistance to the progress of industry in France; it must advance like the pioneers in America, cultivating with one hand and combating with the other, with the soil often trembling under its feet.

The medium superficies of each parcel, which the road touches, is subdivided among the *communes*, in the following proportion:—

	<i>Hectares.</i>	<i>Ares.</i>		<i>Hectares.</i>	<i>Ares.</i>
Batignolles . . .	0	35	Nanterre . . .	0	7
Clichy . . . .	1	28	Rueil . . . .	0	12
Asnières . . .	0	62	Chatou . . .	0	5
Colombes . . .	0	4			

\* The general average which we have given does not apply, in an uniform manner, to each *commune* on the line of the railway. Deducting the three estates mentioned above, we arrive at the results indicated in the following table, communicated by the Company.

<i>Communes.</i>	<i>Length along the Railway.</i>	<i>Number of Parcels in a Distance of 1000 Mètres.</i>	<i>Number of Proprietors in a Distance of 1000 Mètres.</i>
Batignolles .....	.. 1740 Mètres.	.. 50 ..	.. 38 ..
Clichy .....	.. 1633 ..	.. 17 ..	.. 13 ..
Asnières .....	.. 1475 ..	.. 84 ..	.. 67 ..
Colombe .....	.. 2512 ..	.. 155 ..	.. 103 ..
Nanterre .....	.. 3968 ..	.. 164 ..	.. 92 ..
Rueil .....	.. 1360 ..	.. 105 ..	.. 88 ..
Chatou et le Pré ..	.. 1260 ..	.. 93 ..	.. 60 ..
TOTAL.....	13,948 ..		

This extreme subdivision is not the consequence of the high price of the land, for the *communes* nearest to Paris, Les Batignolles and Clichy, where the ground is the most valuable, are those in which the lots have the greatest extent; whilst in the *communes* of Colombes, Nanterre, and Chatou, where they have only an average superficies of 4, 7, and 5 *ares*, the soil is mere sand mixed with stone, but little fitted for cultivation, and producing an insignificant revenue. But for the proximity of the capital, which multiplies the number of buildings, these lands would not be worth a thousand francs the *hectare*; the company paid for them, on an average, 2700 francs (108*l.* sterling). Four *ares*, at 27 francs the *are*, represent, then, a value of 108 francs. A fine estate, which would not pay the wages of a labourer for a month!

The facts which we have just reviewed, are not peculiar to the departments immediately around Paris. The same observations are applicable to every part of the kingdom. In the department du Var, on the Piedmontese frontier, the census (*cens*) for the municipal elections, is as low as 15 centimes (three half-pence), which supposes a yearly income of two francs, and a capital of from 60 to 80 (*l.* sterling). In the greater number of *communes*, containing less than five hundred inhabitants, two francs 75 centimes (a little more than two shillings), is the average of the municipal census\*. And if this average be so low, what must be the amount of the inferior *cotes*, which comprehend the mass of the proprietors of the soil?

It is unnecessary to go beyond the *banlieue* of Paris to see the type of this *morcellement*, this division of property, pushed to the greatest conceivable extreme. The *commune* of Argenteuil, situated on the banks of the Seine, at three leagues (seven miles and a half) from the capital, offers an example of this system in almost ideal perfection. The boldest inventor never imagined an hypothesis so extravagant as this reality.

Not a single farm is to be seen in the whole extent of the *commune*, and the plough never enters it. The inhabitants

---

\* Comptes-rendus au Roi, sur les Elections Municipales, par le Ministre de l'Intérieur. 1834.

are grouped in a little town, which they leave every morning, spade in hand, to cultivate a morsel of ground planted with vines, asparagus, or potatoes.

The fields, seen from a distance, resemble a robe striped with a thousand rays. Each slip of land looks like a narrow ribbon; and the shadow of a fig-tree often covers its whole extent. Here and there you discover a square of cabbages, surrounded with stakes, in the midst of vines; it is a lot which prevents the union of several parcels, and which the proprietor refuses to dispose of. No common pathways communicate between these little possessions; the space taken up by them would be so much subtracted from cultivation. Their owners prefer subjecting themselves to as many unlimited rights of way as they have neighbours.

The *commune*, leaving out the town, has a superficies of 1550 *hectares*. These fifteen hundred *hectares* are divided into 38,835 parcels, which gives an average of four *ares* to each parcel. But the subdivision extends much farther. There are not in the whole *commune* six pieces of the size of an *arpent* (34 *ares*). The largest amount to about the tenth part of a *hectare*. The following table, taken from the *registre cadastral*, will give some idea of the size of the smallest of these atoms.

Number of the Parcel.	Size.	Income.
492 .....	70 <i>centiares</i> .	62 <i>centimes</i> .
491 .....	40 .. " ..	21 ..
1525 .....	25 .. " ..	5 ..
1526 .....	45 .. " ..	9 ..
1561 .....	70 .. " ..	6 ..
2534 .....	62 .. " ..	32 ..

A parcel which produces an income of five *centimes* (one halfpenny), and which represents a capital of 50 *centimes*, or one franc, is probably assessed at one *centime*. But the expense of the notice sent to each tax-payer, at the commencement of every financial year, is five *centimes*; so that the impost swallows up more than the whole income of such an estate.

When property has arrived at this state of minute subdivision, it ceases to be transferable; it cannot be restored to circulation either by sale or by succession, for both these changes involve an expense that would absorb the whole value. Yet, as the circulation of property is one of those

social necessities which cannot be interrupted without the breaking up of society itself, contracts continue to be made. But they are made without the law, that is to say, without any of those securities which form their guarantee. The property falls back into a state of nature, and the good faith of the vendor and purchaser is the only title by which it is held.

The expenses of transferring property are considerable in France. To mention only the expenses of sale; they are composed of the *droits d'enregistrement*, or registering fee, which is five per cent. on the price of the property; the cost of the notarial act, of the recording of the *hypothèque* (or mortgage), and of the *purge d'hypothèque* (or release), all of which formalities are necessary to the security of the possessor. Besides these expenses, which are paid by the purchaser, the particular position of the vendor, as for example, a minor, a married woman, or a tenant in common with other proprietors, subjects him or her to the necessity of various acts, to obtain a legal right to dispose of the property.

In the environs of Paris, the *are* of land is commonly worth from 40 to 50 francs (2*l.* sterling). Let us take a lot of 4 *ares*, the average extent in the *commune* of *Argenteuil*. It is sold for 200 francs (8*l.* sterling). The transfer legally involves the following expenses:—1st, the registering, 12 fr. 10 cents.; 2nd, the notarial fee (*honoraires de notaire*), stamped paper, &c., 11 fr. 50 cents.; 3rd, the recording of the mortgage (*transcription du greffe des hypothèques*), 19 fr.; 4th, the release (*purge d'hypothèque*), 80 fr. Total, 122 fr. 60 cents. (nearly 5*l.*) Moreover, if the land be sold by a widow, who is tenant in common with a minor, she must ratify (*ratifier*) the sale, and the *acte de ratification* costs 12 francs. If it be a husband who sells the property of his wife, the latter must make a *procuration en minute*, or recorded power of attorney, which also costs 12 francs. And these acts are equally indispensable to the sale of a lot of 25 *centiares*, worth 10 or 12 francs, or of a domain of 500 *hectares*, at the price of a million of francs (40,000*l.* sterling). The duty upon registration, the *droits d'enregistrement*, alone is proportioned to the value of the property transferred.

For a long time the transfer of property in the *commune* of *Argenteuil* was only effected by verbal agreements or



contracts, under the private signature of the individuals\*. Inheritances were thus privately divided, *partagés à l'aimable*, and were sold in the same way. The new proprietor got his name substituted for that of the former owner, in the *matrice des contributions*, or list of tax payers, and in his ignorance believed himself to be the legal possessor of the soil. But it is evident that, in a *commune* inhabited by several thousand individuals, where each one's affairs are known to all the rest, the vendor, should he desire to do so, would have no little difficulty in deceiving the purchaser.

Things were in this state when a *receveur de l'enregistrement* sent into the country, discovered these customs, established in fraudulent violation of the law, and to the prejudice of the treasury. This was under the restoration, at a period when those in power were glad of any pretext for forcing the *vilains* to disgorge the property, with which the revolution had enriched them. An enterprising officer, proposing to require of these purchasers the fees due on all the transfers effected within the previous fifteen or twenty years, could not fail to be well received by the minister. The *receveur* was authorised to prepare a statement of all these

\* We are indebted to the politeness of the Mayor of Argenteuil, for the communication of one of these pieces. It is a deed of partition between four heirs, of a piece of property held in common. We subjoin it in all the simplicity of its ungrammatical *grimoire populaire*.

"Nous soussignés, Denis Jacques Maugis-Gentil, Pierre Nicolas Maugis gendre Lescot, et Denis Maugis, gendre Lévêque, nous consentons et nous adhérons que notre beaufrère, Jean Denis Girardin, à cause de Marie Angélique Maugis, sa femme, notre sœur, jouira et *appartiendra*, en toute propriété quelconque, la dite pièce de neuf perches de terre (nearly three *ares*) lieu dit la *Beauface*, tenant d'un côté à Jacques Potheron, de l'autre au citoyen Colas, d'un bout sur la voie de *Mont-Bruns*, d'un bout sur la voie des bancs; sans en rien retenir ni réserver, ainsi qu'il a dit bien connaître et en être content. Cette pièce est en jouissance, en toute propriété quelconque, à lui appartenant, pour et au cas que cette pièce lui a été concédée en rapport (apport) de mariage, pour former l'égalité entre les copartageans, à quoi ils renoncent et dont la jouissance a commencée de ce jour, en toute propriété quelconque; dont et du tout avons signé le présent bon et valable ainsi que de raison." Le 30 Pluviose an 6 de la République Française, une et indivisible.

DENIS JACQUES MAUGIS.  
DENIS MAUGIS. -  
PIERRE NICOLAS MAUGIS.

This document is under the private seals of the parties.

violations of the law ; but, before he could terminate it, the inhabitants assailed him with stones, and drove him from the neighbourhood.

A sort of convention was subsequently entered into. The administration was prudent enough to shut its eyes upon these *faits accomplis* ; the inhabitants, on their side, entered into an arrangement with the treasury. All transfers are now effected by the intervention of a notary, and by the payment of the *droits d'enrégistrement*. As to the *formalités hypothécaires*, or mortgages and releases, they are invariably omitted ; the guarantee is too expensive for estates of such small value : thus the law is respected, but property is not better secured. The purchaser, if he has to do with a dishonest vendor, is still subject to be dispossessed ; an uninterrupted possession of thirty years can alone give him perfect security.

This system of subdivision has come to a stop in the *commune* of Argenteuil, in consequence of having reached its greatest possible extreme. The population remains stationary, because the land is incapable of further division. The number of inhabitants has been 4500 for the last twenty years. They are laborious, and have enriched themselves by their industry. The soil has been fertilized by the sweat of their brows. They collect mud from the streets of Paris to mix with the sand of their vineyards. All the figs, which supply the tables of Paris, ripen on their hill sides. Fifty or sixty thousand *pieces* of wine are sent annually from their *commune* to supply the consumption at the barriers of the capital. The plaster extracted from their quarries is exported to London and New York. Each family possesses one or two *arpens* of ground, divided into twenty or thirty parcels, situated in different places, and cultivates an additional *arpent*, for which it pays rent. They are vine-dressers, workers in the quarries, carmen, day-labourers, or hucksters, according to the season of the year ; and they are never in want of employment. The ease which the inhabitants of Argenteuil enjoy does not result from the division of property alone ; it is the effect of circumstances rarely met with elsewhere ; and is, above all, ascribable to the multiplicity of the sources of labour.

— Suppose that these proprietors of little parcels of the soil could neither find lands to farm, nor employment for their

industry, they must be reduced to beggary. Such is the situation of the inhabitants of the village of Crosville, in the department *de l'Eure*. Their possessions are very diminutive, the soil being divided into extremely small parcels, and the lands around the village belonging to the inhabitants of Neufbourg, by whom they are cultivated. Thus beggary, which, in the beginning, was the resource only of the most wretched, has become the common occupation of the place. They form, at this time, a sort of mendicant republic, living after the fashion of gipsies, except that each one has his own hut. Marriage has no existence among them; they proscribe it, and abandon themselves to promiscuous intercourse. A nursery of children is produced, who are, at an early age, taught to beg, and to serve as purveyors to the colony. Whoever violates these customs by marrying, is *passé par les bâtons*, or cudgelled, as a punishment for his infidelity. They are sensible that marriage attaches the individual to his home, and that a vagrant life is necessarily one of debauch.

We know few instances of so repulsive a character in France; but it is certain, that the extreme division of property in that country must tend to produce, in time, the same effect that a too great concentration of it has brought about in Ireland: misery must be the lot of the people in both cases.

Yet the evil lies not so much in the division of property as in the *morcellement* of the soil. The more proprietors there are in a country so democratical as France, the more multiplied are the guarantees of order. The division of the great domains among the multitudes of the *tiers-état*, in the first years of the French revolution, probably supplied it with the citizens which it wanted.

The *droit nouveau* has been thus rooted in the soil; and with it, sober and steady habits have been spread and firmly established; for morality is a necessary consequence of the possession of property. And if the morality of the working classes in the country be superior to that of the same classes in the cities, it results, in a great measure, from the fact, that the latter are still excluded from the enjoyment of property.

In a country of small capitalists like France, the division of property was inevitable. It was also calculated to improve

the system of cultivation; for the lands which the feudal *seigneur* could not fertilise for want of money, and which he abandoned to the careless *routine* of the farmers, becoming thus distributed, each new possessor covered, as it were, a portion with his body, and warmed it with his own warmth.

It is possible for the system of small farms, *la petite culture*, to be made as productive as that of large estates; the question of superiority between the two systems is, at least as yet, undecided. The system of large estates necessarily economises time and labour. Six millions of men suffice, upon this principle, for the whole cultivation of England and Wales; and it is difficult to believe that, with a better system of agriculture, France would require the twenty-five millions of labourers, whom she employs in her fields. The plough was the first machine invented to diminish the labour of man. What advantage, then, can be expected from a mode of culture which excludes the use of machines; and among the rest, the plough? Is not this to go back to the infancy of the art?

*La petite culture* has some advantages; it is, in certain cases, unavoidable. We know what a *hectare* of land can be made to produce, cultivated as it is in Flanders. But would the system *d'agriculture jardinage*, the horticultural system, be as profitable were it universally adopted? We do not live upon vegetables and fruits alone; and the soil could not be entirely converted into gardens; there must be corn fields, for the nourishment of men, as well as pasturage for cattle. Since the application of chemistry to agriculture, a farm has become a sort of manufactory, requiring a large investment of capital, and embracing a great variety of productions. The economy of its management depends upon this union of various elements concurring to produce the same result. Do away with the large farms, and you destroy the means of this economy. The small cultivator, working with a small capital and inferior instruments, is no more able to contend with the farmer, who has a large capital, manure, machines, means of transportation, and markets always accessible, than the latter can sustain a competition with the owners of corn lands in Poland, or in the Crimæa, where men are made use of, as we use our horses or other domestic animals.

But allowing it impossible to recompose the great estates in France, do the same obstacles oppose the combination of small farms with the system of *la grande culture* ? Is it impossible to substitute large and medium-sized farms for the great domains—to divide the possession, yet to concentrate the cultivation—to parcel the property without cutting up the soil ? We are persuaded that the solution of this problem will be the natural result of the progress of instruction, of industry, and of wealth in the country.

We have explained the want of confidence of the peasants, and of the agricultural classes generally, in all property not based upon the soil. Nothing but the difficulty of finding opportunities of thus investing it, ever drives capital into other channels. The *richesse industrielle et mobilière*, or the amount of personal property, and of capital invested in manufacturing or other enterprises, notwithstanding its recent increase, occupies but a very secondary rank in the scale.

England is covered with banks, manufactories, foundries, and commercial establishments ; its national debt represents a capital of more than twenty milliards of francs (eight hundred millions sterling) ; commerce and manufactures have in this country, created property infinitely more valuable than that of the soil ; here, the savings of the labourer, invested in joint-stock companies, create new sources of employment ; numberless modes of investment are open to inactive capitals ; and if these means at home be insufficient, we have a still further resource in the foreign funds, of which London is the common market.

There is nothing of the sort in France ; the public debt, scarcely amounting to two hundred millions of francs, is hardly accessible to any but the capitalists of Paris, whose wealth supports both the *dette flottante*, and the operations in foreign funds. The savings of the working men, converted by the *caisses d'épargnes* or savings' banks into *bons du trésor* (treasury bonds), do not exceed eighty millions of francs (3,200,000*l.* sterling), and already more than supply the wants of the state. The bank of France, an institution exclusively Parisian, has established but two branches, the one at St. Etienne, and the other at Troyes ; there are not more than five or six local banks throughout the eighty-six departments ;

capital in the cities is every where sufficient for the limited operations of commerce and manufactures; what then could the cultivators do with their capital, were they deprived of the faculty of acquiring lands? What other mode of investment is offered to them, in the present condition of things?

Manufactures and credit will finally extend themselves till they reach the country; but the increase of personal property, of the *valeurs mobilières*, will not be enough; the peasant may have them under his eyes, and yet not see them; he must learn their real nature before he can form a notion of what they are; before he takes any shares in a mine, in a cotton or wool factory, in a canal or railway company, he must, at least, be enabled to read the *compte-rendu* of the operations.

Education must also overcome those habits of *isolation*, which incline a country population to selfishness and envy; they must be taught that their possessions, like men, only acquire their full value by association, and that it is not their interest to separate and to divide, but to unite.

The division of the soil will cease, the moment the peasantry are in a state to compare the profits of investment in commercial or other enterprises, with those in real estate, for the competition of capital will have taken in another direction; but what will be done with the lands already divided?

In certain cantons of France, the peasants, who are the proprietors of lots of greater or less extent, rent them to some large proprietor, or to some farmer, to be cultivated together; they then work on these lands as hired labourers; thus their profit is double, they have the rent of the land, and the wages of labour; the soil, subjected to a better system of cultivation, is improved, and the amount of wealth is augmented to the advantage of all.

It is evident that this practice, confined as yet to a few neighbourhoods, must become more general; when the cultivators, who possess two or three *arpens*, perceive that the *petite culture* is ruinous, they will rent or sell their lots to the large farmers. It will probably be with the soil as it was with power; when the revolution of 1789 had overthrown the aristocracy, the people tumultuously invaded the place which the aristocracy had left unoccupied; the government fell from its incapable hands, and the middle class seized and

secured it. The same phenomenon is at this day in course of re-production as regards the possession of the soil; for the last forty years it has been subjected to a continued process of division and subdivision: when these atoms, from repeated fracture, shall have lost all vigour and fertility, it will be necessary to reunite and cement them anew; then the medium system of culture, if not the medium system of property, must succeed to this extreme subdivision; the *bourgeoisie* has taken possession of power, and it will become the holder of the soil.

The best system of cultivation for France will be that which shall establish an exact proportion between the extent of the land owned or cultivated, and the *surveillance* of the owner or farmer. A farm should not consist of less than 50 *hectares* (125 acres), nor of more than 100 (250 acres); a farm of this size does not require a large capital, and will yet enable the cultivator to try whatever experiments may be necessary for the amelioration of the soil, to unite grazing with the raising of corn, or even to annex, occasionally, to the farm, some other speculation; as that of the preparation of *fécule*, or the grinding of wheat, or the raising of silk worms; it is not large enough to prevent competition among the bidders, if offered for rent or lease, and is nevertheless of sufficient extent to pay, by its produce, the rent, for which it was farmed, and the profits of the farmer.

Whilst this *morcellement* must come to a stop in the small estates, a new distribution will be made of the great properties, so as to divide the ownership of the land, without dividing the soil. The same measures will be adopted, to realise the value of land, that have been long applied to manufacturing speculations; companies will be formed for the cultivation of a domain, as for working a mine, or a foundry, or for establishing a steamer; even now, the small number of experimental farms which exist in France have been established by *sociétés en commandite*\*, in which the property is repre-

---

\* The *sociétés en commandite* are commercial associations, comprising two classes of shareholders. The *associés en nom*, or those whose names are made use of, are personally responsible for all the debts of the company to the whole amount of their fortune; they manage its affairs, and affix its seal to all instruments. The *associés commanditaires*, or simple shareholders, are responsible only to the extent of their respective ventures, for any amount exceeding which

sented by a certain number of shares. If we have correctly appreciated the symptoms of the movement now preparing, the principle of association will not be long in applying itself in a much more general manner, and on a much larger scale, to the cultivation of the soil.

The legitimist party, among whom most of the great landowners are enrolled, is the first to set the example; this party, so happily termed in France *les hommes du passé*, whose every effort is directed against the social changes, which have necessarily resulted from the great events of later years, are, with characteristic inconsistency, the very first to disturb the possession of the soil.

We have before us the prospectus of a *société en commandite*, formed for the purpose of cultivating an estate of Beauni, St. Hippolyte, situated no more than twenty-four leagues from Paris; it is an immense domain, containing 3550 *arpens*, of which 1200 are in wood, and distributed into thirty-one farms; the property has been divided into 4000 shares of 5000 francs (200*l.* sterling) each, making a capital of 2,000,000 of francs (80,000*l.* sterling). The prospectus estimates the revenue at 150,000 francs, which is seven and a half per cent. on the capital; and, to realise this magnificent expectation, it reckons upon—1st., the income of 3600 *arpens*, at the rate of 30 francs the arpent;—2nd., on the produce of 30,000 mulberry trees, three mills, one *féculerie*, one tile kiln, one lime kiln, one stone quarry, and numerous flocks of sheep;—3rd., on the cultivation, on a large scale, of oleaginous plants, and of the beet, that *cursed plant*, as Dr. Bowring terms it, but which is in France a source of wealth to the cultivator.

True, these are the mere promises of a prospectus; but should the speculation only succeed in part; should the capital thus invested produce only four or five per cent., the results would

---

they cannot be sued. They take no part in the management of the affairs. In the *sociétés en commandite* the funds of the association may be divided into transferable shares (*actions*), or remain undivided, till the company ceases to exist. Such companies are unknown to us; for, in our joint-stock companies all the shareholders are responsible to the full amount of their property; while in societies incorporated under a charter from the sovereign, no shareholder, not even the directors or managers, is responsible beyond the value of the shares which he holds.



still be such as to encourage imitation. Landed property, under the present system, does not produce, on an average, more than two and a half or three per cent.; a mode of cultivation which should increase its returns one third, would place it on a level with manufacturing property, which is less solid and more exposed; all would be gainers by the change; proprietors would be enabled to dispose of their domains, without cutting them up and destroying their proportions; capitalists, in changing their money for landed estate, would acquire property, whose value might be always realised, and which would have a fixed price in the market.

At the present moment, the owners of land, who are desirous of cultivating it themselves, and who have not the capital necessary to work the soil with advantage, are reduced to the necessity of mortgaging their estates to money lenders; this land yields them but an interest of three per cent., and they pay five, six, and sometimes seven per cent., for the capital which they borrow; let but one bad season come about, let the hail, or the rain, a drought, or cold, destroy the harvest, and the borrower, unable to comply with his engagements, is ruined. The lender, on his side, has no better chance; in the first place, his mortgage is often illusory, the lands being subject to other *hypothèques légales*\*, of which he was ignorant, and which have priority over his own; but, even supposing the mortgage not thus defeated, the difficulties and formalities necessary to dispose of the land for the purpose of satisfying it, are innumerable; hence the very natural repugnance felt to lending money on mortgage, notwithstanding the high and almost usurious interest which such loans command; such an investment is little better than certain loss.

A reform of the system of legislation which exists in France on the subject of mortgages would perhaps ameliorate the credit of real estate, but the system of investment in shares appears to us to be still preferable; the security is the same in both cases, the land representing the capital thus invested; but there is between the mortgage and the *action foncière*, all the distance that exists between a disposable value, and one

---

\* The wife, for example, has a legal mortgage on the property of her husband, for the security of her *apport matrimonial*.

which cannot be realised for a term, and for a long term; the latter is at once a consolidated fund, and one as easily disposed of as the loans hypothecated upon a branch of the public revenue.

Loans made by the state, when they do not exceed its resources, have the advantage of connecting more closely private interests with those of the public, and of identifying the citizens with the government; a national debt is a sort of assignment to individuals of a portion of the produce of the imposts; it creates a class of proprietors and a peculiar species of property.

The disposal of the great domains to societies of individuals will not exert a less advantageous influence over the revenues of private persons; by dividing the landed property into *actions*, or shares, and into shares of such a size as to render them accessible to the smallest fortunes, the number of the proprietors of real estate will be multiplied without inconvenience, for the division of property will no longer produce the *morcelement* of the soil; the titles may be distributed among a thousand proprietors, or be concentrated in the hands of three or four individuals, without affecting the harmony of the cultivation.

The labourers may, with their savings, purchase one or more shares, and become possessors, as well as cultivators of the land. What can be at once more secure and more solid than a combination, which interests those employed in the execution of an enterprise, by giving them a portion of its profits? In this system, there will not be two classes of men, the masters and the workmen, but all will be labourers, and all proprietors; each will have a share in the profits of capital, according to the amount he has invested, and in proportion to his capacity; is not this the only possible equality in industry, or in the state?

What was formerly accomplished by the energy of the family spirit, by the power of religious convictions, or by the close interdependence of the feudal bond, can be effected now only by a community of interests. It has been observed, that the labour of a free man is more productive than that of the slave; but even the free hireling does not work with the same ardour, as the labourer who has an interest in the profits of his work.

The only mode of attaching the mechanic to his trade, or the labourer to the soil, is to share the produce with him.

The principle of the *sociétés en commandite* has been hitherto only applied to personal property; landed property has not been subjected to the combinations which have given their immense development to commerce and manufactures; now that agriculture has become an *industrie*, it cannot, any more than the rest, deprive itself of the force to be derived from association; we have cited one example of this tendency, the only one yet made public; but other such undertakings are in contemplation;—such an idea cannot remain unproductive.

#### ARTICLE V.

*Copy of the Fifth Report made to His Majesty by the Commissioners appointed to inquire into the Practice and Proceedings of the superior Courts of Common Law.*  
Presented pursuant to an Address, dated 2nd May, 1833.  
Ordered by the House of Commons to be printed, 3rd May, 1833.

ENTERTAINING the opinion that every amendment in the administration of the law is productive of corresponding benefits to the people subject to its influence, we are gratified by the assurance that a measure for the establishment of courts of local authority for the recovery of small debts, is under the consideration of His Majesty's government\*. Since the subject was first introduced to the notice of the legislature by the late Lord Redesdale, no less than eleven different projects have been submitted to the Houses of Parliament for the creation of judicatories of the kind alluded to. The uniform rejection, or abandonment, of these schemes, however, will not be a subject of regret to any one who will take upon himself the trouble of examining them. Although materially varying from each other in principle as well as detail, they possess the common feature of very inadequately providing for the great object of local judicature—the prompt, cheap, and certain

\* Lord J. Russell. *Mirror of Parliament*, for 1836, p. 590.

administration of the law. The means by which that end is to be accomplished, appear not to have been sufficiently understood, or to have been neglected, by their authors. The Report of the Common Law Commissioners upon the question of local courts is open to the same observation—a matter to be lamented, since the recommendations of these learned persons will, in all probability, form the ground-work of the measure now in contemplation. These considerations have led us to make the following observations upon some of the more important subjects connected with the constitution and procedure of courts of local jurisdiction, in order that attention may be directed to the proper means of effectually securing the object of their establishment.

The indisputable tendency of a central administration of the law, like that effected through the courts at Westminster, is to introduce prolixity and intricacy into every stage of judicial proceedings. The consequence of which is, that litigious contests are attended with tantalizing and mischievous delays during their progress, proverbial uncertainty as to their result, and an expense which no foresight or prudence can confine within the bounds of moderation. The ultimate effects of such a system being to defeat the common ends of justice, by deterring provident men from prosecuting righteous claims, and by proportionably encouraging nefarious litigation.

Nor are these consequences of the system of centralization the only subjects of complaint against the superior courts, for in other respects the proceedings of those tribunals are inimical to the pursuit of justice. From the impunity accompanying attempts to deceive the courts, they are constantly occurring on the part of dishonest suitors. No means are used to ascertain whether the parties themselves credit the assertions they make, much less does punishment follow their wilful mis-statements. Instead of the pleadings of a party being the most favourable exposition of his case, which the law applicable to it allows, they are not unfrequently a tissue of inconsistent misrepresentations\*. The allegations of an

---

\* A defendant's right to plead several *inconsistent* answers to the plaintiff's demand, has been judicially acknowledged, and its policy defended. "The fact of inconsistency in the pleas with each other, is no objection to them."

adversary, known to be founded in truth, are not uncommonly flatly contradicted, in the hope that his evidence may fail; whilst, for the sake of delay, assertions are ventured by parties without their having any intention or means of proving them.

The principal advantage of a well arranged scheme of local tribunals, would be the relief afforded to honest litigants from the great multiplicity and confusion of the proceedings of the superior courts. By a carefully adapted system of practice, every obstruction to the rapid march of justice would be removed; by the proximity of the court a ready access to it would be afforded to the parties and their witnesses; and by the introduction of obvious and necessary regulations into the process of pleading the mendacity of suitors would be repressed, and every endeavour to lead the court into error effectually neutralized. The delay, uncertainty, and expense attending the operations of judicature would be reduced to the *minimum*; and whilst every facility would be given to *bonâ fide* litigants for asserting their just rights, every obstacle would be presented to attempts to turn the forms of justice into instruments of fraud, or oppression.

Consistently with a central administration of the law, and the peculiar structure of our superior courts, we are of opinion that the procedure of those tribunals admits of no modification by which the evils alluded to can be materially mitigated. The whole of the complex and costly proceedings invented to obviate the difficulties arising from the distance of parties and witnesses from the seat of judicature, are, of necessity, inherent in the system. We need offer no proof that the cumbrous machinery of circuits, by which, at intervals favourable to the fraudulent suitor, actions are tried in the midst of confusion, is also an incident of centralization. Written, and therefore expensive and imperfect pleadings, with intervening and dangerous

---

“ A defendant may have several defences to an action, each good in itself, but inconsistent with each other. It would be very hard upon him if he were not permitted to plead them all.” Per Mr. Justice Williams in *Wilkinson v. Small*, 3 Dowling's Reports, 564. See also 1 Bingham's Reports, N. C., 266.—“ Pleadings instead of being true and certain, are jumbles of falsehood and inconsistencies, discreditable to the administration of justice.”—Lord Wynford's Communication to the Common Law Commissioners (see Second Report, Appendix (B.) No. 2, p. 48).

delays between the successive steps, form another integral portion of the same system. These and other essential parts of the procedure of the tribunals in question render of no avail any scheme of reform that does not involve a very wide departure from the fundamental principles of their constitution as well as practice. But to meditate at present such a radical change in the superior courts would only betray ignorance of the obstacles in the way of its accomplishment. The hostility of legal practitioners, inspired with activity by the approach of danger, directed by their superior knowledge of the subject, and strengthened by their corresponding influence over the public mind, would immediately repress every attempt of the kind. The indifference on the part of the people generally to every specific plan of reform of the prevailing system, and their ignorance of the requisite changes, constitute another, and, at present, an insuperable obstacle to every desirable modification in the great judicial establishments of the country.

The creation of local courts would be attended with advantages besides those already mentioned. It would afford a practical demonstration of the possibility of cheap, certain, and expeditious justice, upon which the people, in the absence of more accurate information upon the subject, might found their hopes and conviction of the benefits to arise from a still larger measure of law reform. The trifling effects of many highly but improperly vaunted measures have inspired them with something like incredulity, as to the practicability of any beneficial change in the administration of the law, which can only be removed by presenting them with results of a different character. The people, inspired with faith as to the certain advantages of law reform, will quickly acquire the requisite information as to the proper measures to be adopted for its attainment, and their demands will silence all interested opposition. We approach the subject of local judicature, therefore, impressed with the importance it possesses, not only from the direct benefits to arise from its well regulated establishment, but also in the relation to which we have just alluded.

We shall here notice, though at the expense of a short digression, an objection which strikes at the root of every project for establishing local courts of the character alluded to.

The notion that a simple, cheap, and speedy administration of the law should be discouraged because its tendency is to promote litigation, although abandoned by every one who has investigated the subject, is still adhered to by numerous partial observers\*. The proposition is founded on an obvious abuse

---

\* It is not more than ten years since the *Edinburgh Review* countenanced the doctrine of suppressing litigation by heaping expense on judicial proceedings. Captain Basil Hall, in his *Travels in North America*, did not throw away the apparent opportunity of assailing one section of reformers in this country—the law reformers—afforded by the inexpensiveness of law in some parts of the United States, and the alleged consequences. “The principle of bringing justice home to every man’s door, and of making the administration of it cheap, has had full experience in America; and greater practical curses, I will venture to say, were never inflicted on any country. . . . The Pennsylvanians have done away with nearly all the technicalities of the law; there are no stamps, no special pleadings, and scarcely any one is so poor that he cannot go to law. . . . These victims (*i. e.* the Pennsylvanian litigants) of cheap justice, or cheap law, seldom stop while they have a dollar left.”—Vol. II., p. 426. The inconsistencies involved in these few lines, show that the author never thoroughly investigated the subject, upon which he wrote with so much vehemence. The abolition of special pleadings, instead of making law cheap, would have a directly opposite effect, by increasing the number and expense of trials. Of this elementary proposition in judicature, the author perhaps was ignorant, and very pardonably so for an acquaintance with the principles of that difficult science is by no means intuitive. By *special* pleadings he might mean *written* pleadings, but the explanation is inconsistent with the supposition of his familiar (*i. e.* competent) knowledge of the subject. It is possible, however, that he is not incorrect in saying, that in the Pennsylvanian courts, special pleading is abolished, but wrong only in supposing that the access to them is cheap. This supposition will reconcile his statement as to the ruinous consequences of law-suits in Pennsylvania, with the increased expense attending the laying aside of special pleading. For he cannot mean that cheap law reduces suitors to beggary, since that would rather appear to be a consequence of dear law. In short, the whole passage is unintelligible, and reminds us of a story told in one of Mr. Bentham’s earlier writings. “I happened once,” says he, “to fall into conversation with a man, who, from an attorney, had been made judge of one of the provinces of America. Justice I understood from him, was on a very bad footing there: it might be had almost for nothing: the people were very litigious: he found them very troublesome. A summons cost—I forget whether it was three shillings and six-pence, or half-a-crown. Where the half-a-crown went to I do not know: one may be pretty certain not to the judge. Seeing no prospect of our agreeing, I did not push the conversation far. The half-a-crown seemed to him too little, to me it seemed all too much. The pleasant thing would have been to have enjoyed the salary in peace and quietness, without being plagued with a parcel of low people. Justice would then have been upon the best

of words. Litigation, in its correct sense, means the making use of judicial proceedings to effect one of two objects, the one highly laudable, the other little less than criminal. An honest suitor avails himself of the aid of a court of law to obtain justice, a dishonest one to commit injustice. The more complicated and prolix the proceedings are rendered by artificial means, the more are righteous litigants exposed to delay, uncertainty, and miscarriage. Precisely by the same means, however, and in the same proportion, the hopes of dishonest suitors are raised, together with their chances of success. The introduction of simplicity and promptitude into the practice of courts of justice, would free *bonâ fide* litigants from the apprehension, as well as the probability, of failure of their just claims through error or inadvertence; while it would deprive their opponents of a screen for treachery, or the time and opportunities required for bringing fraudulent projects to maturity. With respect to the expense of judicial proceedings, arising from their length and intricacy, it operates as a denial of justice to *bonâ fide* litigants whenever it falls upon them, and can only answer the end of suppressing improper litigation, when cast upon dishonest suitors. But as expense is always in proportion to the intricacy and slowness of judicial business, and as intricacy and slowness have a direct tendency to assist the designs of fraudulent suitors, the greater the cost of law proceedings, arising from such causes, the greater is the probability of its being imposed upon honest parties. Expense too is only a relative term. The amount of costs which would deter an indigent or prudent man from entering a court of law, is an object of indifference to a richer or more careless one. An enactment forbidding litigation altogether, would be a more certain, and at the same time a less unjust mode of extinguishing it, since such a measure would be equal in its operation upon all classes of society. But a state of law, which virtually closes the doors of the legal tribunals against the poor and the provident, is tantamount to a declaration that justice is always on the side of the

---

" footing possible. He had accordingly a project for checking litigation, by " raising the fees. I don't know whether it succeeded." We have noticed Captain Hall's statement, since it is frequently quoted by the opponents of cheap law as conclusive evidence of its evil tendencies.



wealthy and thoughtless; or at least, that they are alone entitled to the services of her ministers. We quote with satisfaction a passage upon the subject of the foregoing observations from Lord Langdale's speech on Chancery Reform in the House of Lords in last June:—

"The delay, united with its attendant expense, tends to shut the door of justice. The man whose violated rights require the aid of law, and who ought to find redress in the courts, is deterred by the delay and expense. The wrong doer sits in tranquillity, and triumphs; nay more, the same state of things which discourages *bond fide* litigation, encourages *mala fide* litigation, and invites the wrong doer himself into court; he comes with a fictitious complaint, not to establish a right, but to extort submission to a wrong, and to secure to himself the fruit of his own iniquity. There are cases in which the injured party will rather submit to oppression or a compromise of his right, than expose himself to litigation, which he knows will be attended with great delay, and consequent anxiety and expense\*."

The supposition that increased facilities for enforcing the performance of pecuniary engagements would be prejudicial to public morality by encouraging credit, is equally unfounded, and claims attention solely from its having been countenanced by an eminent member of the legal profession, Mr. Serjeant Talfourd. Having stated before the Common Law Commissioners that most undoubtedly he would not, as a mere question of pounds shillings and pence, sue for a debt of 20*l.* in the superior courts, he was asked whether the establishment of local courts with a jurisdiction to that amount at least, would not be expedient?

"I think (said he) that the answer to that question mainly depends upon the view taken of the comparative good and evil arising from the system of credit itself, in reference to the ordinary concerns of life. If it be granted that a new system of local jurisdiction will give increased facility to the creditor, it does not follow that such facility will tend on the whole to the public good. . . . Now I confess it seems to me, that, setting aside the operation of credit in great commercial transactions, which can have no relation to any scheme of local courts, for the recovery of debts of 20*l.* or of 40*l.*, the disposition to give and to obtain credit, to which the power of personal arrest has afforded opportunity, is one of the greatest causes of moral debasement among us; that it has quickened the impulses of immediate gratification, and crushed the hopes of the future; that it has disturbed the course of steady industry, by petty ambition, to make a show of belonging to a rank a little beyond our own, or by vain attempts to reach it; that for 'plain living and high thinking,' it has often substituted a life of pretension and misery, and has produced that moral degradation insepa-

---

\* Substance of a speech by the Right Hon. Henry Lord Langdale, on the second reading of the Bill for the better administration of justice in the High Court of Chancery.—(J. and W. Boone, New Bond Street, 1836) p. 10-11.

nable from pecuniary difficulty, and from the expedients and falsehoods to which it leads; and therefore it seems to me, that the question which lies at the bottom of the claim which is advanced on behalf of creditors to a speedier means of recovering their debt, is this; is it desirable that new encouragement should be given to credit, in cases which, from their nature and amount, have no relation to an extended commercial policy?\*

The manifest assumption throughout is, that a cheap and expeditious method of recovering small debts would serve to promote credit. This assumption is again founded on the supposition that the uncertainty and trouble to which creditors are put by dilatory and costly legal proceedings, induce tradesmen to insist upon ready money transactions with their customers. But is it so? A very slight inspection of the journals of the Houses of Parliament for the last few years, will show how numerous and urgent have been the demands of the public for some legislative measure for facilitating the recovery of small debts. The existence of frequent credit in ordinary transactions, therefore, must be inferred, notwithstanding the law is in such a state as to make it not worth a man's while, as a question of pounds shillings and pence (according to the learned Serjeant's own statement), to sue for a debt of 20*l*. Since, however, the uncertainty and expense of litigation are considerations with tradesmen only when their minds are in a state of doubt as to the means, or honesty, of the person demanding credit, we contend that whenever credit is given under those circumstances, it is owing solely to the importunities of the

---

\* See Fifth Report of the Common Law Commissioners. Appendix (B) 33 B. Mr. Serjeant Talfourd's Examination. Credit must not be given to Lord Ellenborough (the present Lord), for inventing this notable argument although it is due to him to mention that he is entitled to the merit of having put it into its most striking form. The Noble Lord observed, in debate, with reference to one of the many attempts of Lord Althorp to establish local courts, that "the object of the Bill was quite unattainable. If it were attainable to "enable a creditor to recover small debts at a little cost, he (the noble Lord) "did not think it would be advisable. *Such a law would only make tradesmen lax "in giving credit, and the poor ready to take it, and thereby occasion a great deal "of mischief to both.* To give facility to recover debts (continued the noble "Lord) would enable an unjust creditor to make debtors pay more than they "owed, and frequently to compel others to pay sums which they did not owe."—(Hansard, N. S., Vol. II., p. 1315.) Lord Ellenborough derives a very large annual income from a direct tax upon the proceedings of the King's Bench.—(See Parliamentary Papers, 1834, Vol. VI., No. 519.) The sincerity of his hostility to the cheap administration of law admits therefore of no doubt, although he does not show much discretion in the selection of his arguments.

customer. For it is absurd to suppose that a tradesman would solicit individuals of doubtful reputation or means to accept credit, when he could obtain ready money from them. The supposition on which Mr. Serjeant Talfourd constructs his whole reasoning then must be, that a cheap, speedy, and 'un-failing remedy in the hands of a tradesman to enforce his claims would increase the demands for credit on the part of customers of whose integrity or means he, at the time, is doubtful.

Now, what inducement can be so strong for a dishonest man to require credit, as the prospect of the creditor's remedy being uncertain or indefinitely postponed? What can serve more to weaken such inducement than rendering the necessity of satisfying the creditor peremptory at the appointed time? Legal proceedings, cheap and certain as to their result, therefore, would diminish, if not put an end to, solicitations for credit by dishonest customers. As to that class of persons who desire credit and yet possess a certain future means, as well as a *bonâ fide* intention of paying, their demands for it are manifestly not influenced by the state of the law, and no change, therefore, in its administration would affect the present amount of indulgence required by them of tradesmen\*.

It cannot be too much insisted upon, that the advantages, which we have attributed to the local administration of the law, do not necessarily flow from every scheme of local judicatories, but are the consequences only of a well adapted organization of such tribunals. One class of district courts in England and Wales will serve to illustrate the truth of this observation. Every county has a court with a jurisdiction co-extensive with its boundaries, in which actions of various kinds, comprising those for the recovery of debts of any amount, may be prosecuted. The constitution and proceedings of these courts, with the exception of two (Lancashire and Middlesex),

---

\* If we had space, we could pursue the subject, and show, that, credit mainly depends upon considerations unconnected with judicature. It is a matter to be lamented, that creditors are too often satisfied with the bare legal liability of the debtor, without troubling themselves to ascertain before hand the means of enforcing it. The immoral tendencies of expensive law are admirably depicted, and the objections to cheap law examined and refuted, in the 5th vol. of the late Mr. Mill's History of British India, in the chapters on the Judicial Reforms that have taken place in that country.

are every where similar. Here then is a system of local courts, possessing even one very important feature of excellence—uniformity of organization and practice, and yet comparatively useless, and universally complained of. In 1827 Mr. Peel declared, in the House of Commons, “ that the expense of proceeding in them was so enormous, and their jurisdiction so confined, that he believed in many cases the party seeking remedy there was actuated by feelings of pique and resentment more than by any hope of recovering his debt; he might annoy his debtor, but in the end the expense incurred was generally more than the whole amount of the original debt\*.” Of the same courts the Common Law Commissioners speak in the following terms†:—

“ The limitation of jurisdiction in point of amount‡; the annual change of the officers who preside in these courts; the want of competent juries; the lengthened pleadings; heavy costs; unnecessary delay; and a vicious system of practice, attended with enormous abuse and oppression, committed by bailiffs in the execution of process by improper agents, render these courts inefficient for the administration of justice, and the subject of general complaint.”

As the object of the local administration of the law is emphatically to diminish to the utmost, costliness, delay, and uncertainty in the pursuit of justice, the problem to be solved in establishing a system of local courts, is to discover the peculiar organization by which the object in question may be best effected. It is evident that a wide departure from the principles

---

\* Mirror of Parliament, Vol. II., p. 1625. The county courts have since undergone no change. The state of things described by Sir R. Peel, strikingly proves that expensive and intricate judicial proceedings do not prevent malignant litigation.

† Fifth Report of the Common Law Commissioners, p. 6.

‡ At an early period the jurisdiction of the county court was confined to cases under 40s. At an extra expense of about 2l. (Report, p. 7) however, a personal action of any amount may be prosecuted in this court, by the writ of *justicies*. Practically speaking there is no limitation of the amount in such actions, when the plaintiff does not object to the increased expense. For an account of the origin and constitution of the county courts, and the various changes they have undergone, see Reeve's History of the English Law, Vol. I., p. 7, 47, 48—II., p. 149—IV., p. 465. For the ancient working of these tribunals, see Hale's History of the Common Law of England, p. 169, 170. For their modern working, see Report from the Select Committee of the House of Commons on the Recovery of Small Debts, and Appendix Session Papers, Vol. IV., 1823, No. 386; and the Fifth Report of the Common Law Commissioners, and Appendices, *passim*.

both of the constitution and practice of the superior courts cannot be avoided ; novel and more apt expedients must supersede, in the new judicatories, the expensive and imperfect machinery of the higher tribunals. For this we must be prepared if we desire to see the experiment of local judicature fairly tried. For to scatter tribunals of local authority over the face of the country with little or no attention being paid to their fitness for the proposed object of their establishment, would, at the most, produce no further benefit than providing for suitors an alternative of obstacles in the way of justice.

The subjects of the following observations are selected from the numerous topics connected with local judicature, on account of their superior importance, and of the little light which past discussion has thrown upon them. They happen also to be subjects upon which the most serious errors have been committed by most of the authors of the projects heretofore submitted to the legislature. In order to impart a coherency to our observations, we shall previously make a few suggestions upon the more material arrangements in the constitution and procedure of the tribunals required for a local administration of the law. Although by these suggestions we may appear to shadow out a scheme of local judicature, and even of the general course of its procedure, they must be understood to have reference only to what we regard as the more difficult and unsettled questions connected with these subjects. A discussion or bare mention of minor arrangements would be an idle employment whilst engaged upon the fundamental provisions of the system under review. We make this remark, to escape the observation that the whole of the subject has not occupied our attention.

The sides of a square, containing four hundred square miles, are ten miles from the centre of the figure, and the angle somewhat more. If a court were placed in the centre of a district of the form and size mentioned, the generality of resident suitors would have to travel less than ten miles, whilst none would be put to the trouble of a journey much exceeding that distance. We may suppose three districts to be placed contiguously, so that the centres of the two external districts would be respectively twenty miles from the centre of the middle district. The inconvenience felt by a judge residing at

the centre of the latter district from attending, once in the course of every fortnight, at the court of each of the three districts, would be comparatively slight\*.

To carry into effect the objects of the establishment, the sittings of each court should be alternately for hearing the pleadings of the parties, and for the trial of contested facts.

To the court of each district should be attached a registrar, to attend its sittings and conduct the formal proceedings. During the intervals between such sittings, he should make circuits at frequent and stated periods through his district, for the purpose of arriving within reach of every portion of its population at appointed and well known times.

To each court should also be attached two or more inferior officers or messengers, and a clerk to the registrar.

An individual seeking legal redress should attend the registrar on his circuit, state the particulars of his case, and desire him to summon the party complained against to appear at the next court for pleadings. The registrar would reduce into writing the complainant's statement in clear and concise terms. A copy of this statement, with a summons, would then be served by a messenger of the court upon the defendant.

At the next sitting of the court for pleadings, the plaintiff and defendant should personally attend, accompanied, at their discretion, by their respective attorneys. The court would then proceed by a *vivâ voce* examination of the parties to elicit the precise question in litigation.

---

\* By this arrangement the jurisdiction assigned to a judge would extend over a tract sixty miles long and twenty broad, containing 1200 square miles. England and Wales would comprise forty-eight of these jurisdictions—their area being rather less than 58,000 square miles. The external figure of the two countries might offer some difficulties to their being divided into jurisdictions of the precise form described, but this might be partially avoided by the districts assuming an hexagonal instead of a quadrilateral form. The inequality in the amount of business, arising from a greater or less density of population in different parts of the country, would not require any corresponding alteration in the extent or number of jurisdictions, since the difficulty presented by it would be more successfully counteracted by giving an additional judge or judges to the more thickly peopled districts. These speculations need not be pursued on the present occasion—it is sufficient to keep in view, that the main object of legislating upon the subject, is to secure the proximity of a court of justice to every individual in the country, and at the same time to avoid the unnecessary creation of tribunals, on account of the expense.

If the pleading should terminate by the parties being at variance upon a point of law, the court would instantly give judgment, and the suit would be at an end, unless such judgment were called in question before the appellate court. If, however, a question of fact between the parties should require investigation, a trial of it would be ordered to take place at the next sitting of the court for trials, when the parties, their witnesses, and attorneys (if any) would be directed to attend.

At the trial, if, after the examination of witnesses and other testimony, any obscurity still prevailed, the parties, at their own suggestion, or that of the judge or jury, should be examined. The verdict of the jury should be conclusive, unless objected to before the rising of the court. A party objecting to the decision of the jury should state his reasons distinctly to the court, and the judge, upon hearing them, should either confirm the verdict or set it aside. If he should set it aside, he should direct such a verdict to be recorded as, in his opinion, ought to have been returned. Whether the judge confirmed the verdict, or set it aside in the manner mentioned, his decision should be conclusive upon the parties, unless called in question before the appellate court.

The appellate court should sit in London, and be presided over by one judge, with a registrar and clerks. The proceedings upon appeal should be as follows:—A party intending to appeal should give notice to the registrar of the district court of his intention, and of the precise points upon which he grounds his appeal. The registrar would then deliver to each party a copy of the judge's notes of the cause, and also transmit another copy, together with a statement of the grounds of appeal, to the registrar of the appellate court. The question would be argued in its turn before the appellate judge, whose confirmation or revision of the decision of the local judge would be transmitted to the district registrar, and stand as the final judgment in the cause.

The aid of the court during the suit should be furnished gratuitously to every suitor, as far as regards the exercise of its own functions. At the conclusion, the court should award the payment of such costs as were incurred between the parties, at its discretion. Upon a review of the conduct of the

litigants during the suit, the court should also, at the same time, impose a penalty upon either suitor who had attempted to abuse its proceedings, or to lead it into an erroneous decision by fraudulent misrepresentations.

*Practice.*—A portion of the proceedings of every tribunal consists of the exercise of judicial functions, whilst others are the acts of the parties themselves. To summon the defendant upon complaint made—to regulate the course of pleading—to order the attendance of witnesses—to deliver judgment, and to execute it, are instances of judicial functions; but to attend the court—to render it information, are acts of the parties. Under most systems of judicature the judicial functions, with one or two exceptions, are exercised through the agency and at the expense of the litigants. But in tribunals established for the prompt and cheap administration of the law, there are two decisive objections to this mode. *First*—The expense it imposes on suitors, and *Second*—The multitude of formal regulations required to prevent the abuse of proceedings invented to promote the ends of justice, by which suits are delayed at every stage, and encumbered with difficulties having no relation whatever to the merits of the question in dispute.

There is no duty of government more imperative than that of providing for the distribution of justice to the whole community, without regard to the inequality of its various ranks. This, however, can only be effected by the services of the judicial establishments being gratuitously afforded to every class of litigants. If ready access to courts of justice is of more importance to one portion of society than to another, it is to the numerous poor. They have but one safeguard against outward aggressions, the protection of the law; they possess none of the extraneous defences at the command of the rich—the influence of wealth, rank, connection, and superior intelligence. To call upon an indigent suitor to pay for justice is to deprive him of the protection of the law. When his complaints appear in the eyes of affluent legislators too frivolous for judicial notice, they forget that his position makes him obnoxious to the most trifling injuries. “Give me,” says an accurate observer, “but a licence to do any person at pleasure the minutest wrong conceivable. Allow me to rob him, though it be but of a farthing; farthing by farthing, I will find the



“ bottom of his purse. Allow me but to let fall a drop of water upon his head—*gutta cavat lapidem*, the power of striking his head off would be less susceptible of abuse.” To impose upon the suitor the performance of any of the functions of the judiciary establishment, would be uselessly charging him with the expense of professional agency, without the assistance of which they could not be properly performed on his part. There is no greater reason why a suitor should defray the costs attending the exercise of one judicial function more than another—why should he pay for the process by which a court compels the attendance of a party or witness, when he does not directly contribute to the judge’s salary? If government, therefore, is bound to provide for the equal administration of the law, we maintain that none of the expences, attending the exercise of the judicial functions, should be borne by the suitor.

It is also necessary that the functions of the judicial establishment should be performed through its own agency. Nine-tenths of the forms which encumber the practice of our superior courts are only precautionary regulations, made, from time to time, to protect their substantial and necessary rules of procedure from evasion or abuse. Let the reader turn to any title in the books of practice—to Special Bail for instance, and observe by what endless petty contrivances every essential step of that proceeding is surrounded, to prevent fraud on the part of the debtor, or oppression by the creditor. It is manifest that if the courts in question were relieved from the apprehension of a fraudulent exercise of their functions, the enormous mass of rules of practice might be reduced to comparatively few and simple regulations, suited to each stage of their proceedings. So long as they are performed by the suitors themselves, such relief is impossible, and security against fraud can only be obtained by fortifying every substantive proceeding with innumerable precautionary contrivances. But suppose a tribunal to assume the exercise of its own functions, and it becomes instantly freed from the fear of being abused. All extraneous and defensive regulations might be laid aside, and only such rules retained as were obviously adapted to the exigency of each particular stage of the procedure, unencumbered with provisions to repel fraud, in whatever shape attempted.

We will illustrate these observations by referring the reader to the suggestion that the plaintiff's cause of action should be put into form by the registrar\*, and that the defendant should be served under the direction of the court.

In a law suit, a portion of the tactics is to place the adversary in the most disadvantageous position, by inspiring him with erroneous views of the case he has to meet. A plaintiff in setting forth the nature of his claim, by the help of a practised attorney, would purposely introduce sufficient ambiguity to perplex, if not mislead, the defendant, without the artifice being gross enough to call for the animadversion of the court. Uncertain of the precise nature of the plaintiff's demand, the defendant could but imperfectly prepare his defence, and a door for injustice is immediately opened. Suppose the stratagem repeated, the court would endeavour to check its recurrence, by some appropriate and general regulation, applicable to the mode of framing the plaintiff's claim—the first of a series of rules to protect an essential step in the procedure from abuse. Studied ambiguity, the result of labour, would never be found in a statement of the plaintiff's claim drawn by a registrar. Influenced by the spirit of the establishment to which he belonged, he would endeavour to set it forth in accurate and clear terms. But supposing some dubious expression to occur in his statement, it must, of necessity, be from accident; and though it might produce mischief in one case, it would be unnecessary to guard against its recurrence by any other means than by increased diligence on the part of the functionary himself. Again, if it is left to the party and his attorney to summon the defendant, some expedient would be hit upon, so to effect it, that the latter should be deprived of the full benefit of timely notice. This would again and again be resorted to until obviated by a rule of the court to protect itself against the wrongful exercise of so essential a function. But should a defendant, summoned by a messenger of the court, be by some casualty similarly aggrieved, no new regulation as to the mode

---

\* It may be objected, that putting the plaintiff's cause of action into a proper form, is not the exercise strictly of a judicial function. We think that it may be regarded as such. The plaintiff complains to the court—the court summons the respondent to answer the claim, describing it.

of summoning would be needed to provide against future accidents of the same kind, since the attention of the officer a little quickened, would answer that purpose. By the court asserting its right to exercise its own functions, it would throughout its practice, be satisfied that every proceeding was conducted with *bona fides*, and a view to effect the particular object for which it was intended. The prospect of defeating or delaying an adversary by technical subtleties and treachery would be destroyed, and no case or defence would be set up which did not rest upon its intrinsic merits, real or alleged.

When the functions of a court are placed under the direction of the suitors, there is an evil engendered, but little less than that occasioned by the frauds which this system enables parties to commit. We allude to the liability of the suitors to fall into honest errors. Against this there is no safeguard in an intricate procedure. The Court of King's Bench furnishes annually a volume of decisions upon its own practice, most of which are upon erroneous interpretations put upon its rules by practitioners. A tribunal conducting its own proceedings, would effectually exclude the possibility of claims for justice being thwarted by such a cause.

On the other hand, such of the proceedings as are acts of the parties, should be performed by them, and the attendant expense considered as costs in the suit. We adopt this opinion from the difficulties attending the recommendation of such expense being borne by the judicial establishment, for which, however, both reason and example may be found in the case of prosecutions in our criminal courts. The acts to be performed by the suitors would be the attendance of themselves and witnesses on the court, and the providing themselves with professional assistance. The employment of professional assistance by suitors has been a subject of difficulty with most of those who have considered the question of local judicature, owing to the expenses attending it in our ordinary courts of law. As it is a question of importance, we deem its consideration necessary.

*Professional Agency.*—In litigation the assistance of professional agency is required for two distinct objects. *First*—It is necessary to the suitor to ascertain the precise legal grounds of his complaint or defence, and to devise the means of placing his case in the most favourable light before the tribunal having to

adjudicate upon it. *Second*—It is required to enable the suitor to conduct the technical proceedings by which the question in dispute is finally presented to the court. With respect to the first object, it is not desirable that professional assistance should be withheld. So inaccessible is the law to every one unacquainted by education with its provisions, that its application to the most ordinary transactions may be regarded as impracticable by all but its professors. To deprive a litigant of the assistance of those who have made law their particular study, therefore, would be denying to the great majority of suitors the use of the remedies it provides. Reason and experience also show how expedient it is for a litigated question to be presented to the court by persons conversant with the law applicable to its circumstances, in order that their varied representations of its provisions may prevent the judge from forming a partial conclusion. The only objection to the employment of professional aid for the purpose in question, is the expense; but when it is considered how small a portion of the costs of litigation are incurred for legal advice and aid upon the merits of a case, apart from the technical proceedings connected with it, it will be found that the objection is without weight.

As to the second purpose for which such assistance is required, it is evident that it is of no utility to suitors except to enable them to perform correctly the judicial functions confided to them. The skill and knowledge requisite to wield the forms of procedure with effect, are little inferior to the acquirements necessary to apply the rules of law to the merits of a litigated case. Unless, therefore, the suitor can be relieved from the performance of judicial functions, without their efficacy being weakened, it is obvious that he cannot be freed from the expense of professional assistance attending them, without diminishing the strength of his claims to legal redress.

Upon this view of the subject, we have suggested that on the occasions of pleading and trial, which essentially require the application of the greatest quantity of skill and legal ability, for the sake both of the suitors and the court, the employment of professional agency should be allowed; whilst, by recommending the conduct of the technical proceedings to be given to the court, we have avoided the necessity of compelling litigants to seek such assistance in matters having nothing to do with the merits of the

case. By the course proposed, it will be possible to remunerate practitioners for services of essential utility to justice, without subjecting litigation in the local courts to burdensome expense\*.

The Common Law Commissioners appear to have had no distinct idea of the mode of applying legal skill cheaply to litigation in the courts in question, for although they say it should be done, they have omitted to indicate the means. In the following quotation, the expression "by retrenching all unnecessary expenses in the conduct of a suit" is conveniently vague. After stating that professional aid is essentially necessary, to enable suitors to conduct technical proceedings, even of the simplest construction, they say—

"In order to avoid the danger of throwing the practice into the hands of incompetent or dishonest persons, we think it desirable that, by retrenching all unnecessary expenses in the conduct of a suit, a fair remuneration should be allowed to the professional agent for his services; and that by adopting a higher scale of remuneration when the cause of action would better afford it, it might be made worth the while of intelligent and respectable persons to undertake a branch of practice which, were the scale of fees to be adapted only to smaller causes of action, they would decline†".

---

\* In actions in the superior courts for claims under 20*l.*, the average profits of the country attorney, of each party, may be estimated at less than 6*l.* even when the cases go to trial and final judgment; the outlay generally exceeding double that sum. In actions for larger sums, the profits are more considerable. The small profits of the first kind of actions; the necessary advance of money, and the danger of the adverse party, and even client, being unable to satisfy the heavy amount of costs of the second kind of actions; and the anxiety and risk attending the proceedings in both instances, conspire to deter country attorneys from making an object of common law business, where other branches of practice are open to them. Under the system of local judicature proposed, an allowance of two guineas, or even somewhat less, to the attorney for attending his client at pleading, and the same sum at trial, would adequately remunerate the most respectable practitioner for the trouble he would be put to. And though the fees proposed are below his profits in actions for claims under 20*l.*, before mentioned, the increase of litigation from its being rendered expeditious and certain, would afford more than an equivalent for the difference. The country attorneys would in no respect be injured by the change; their business and profits would be augmented; and at the same time they would be relieved from the necessity of making outlays of money, from the danger of losses through the insolvency of clients, or of their opponents, and from the anxiety and trouble that now attend the practice of common law. By bestowing upon them the additional character of advocates, their importance and influence would be proportionably increased, as would also be the respectability of their profession.

† Fifth Report, pp. 21, 22.—Of the authors of the plans for local courts submitted to the legislature, Sir R. Peel alone appears to have entertained a correct idea of the two-fold object of the employment of professional agency in judicial

*Pleading.*—It is easy to imagine a system of judicature so imperfect that at the instance of the complainant both he and the party complained against shall appear before a tribunal without either being previously apprized of the other's case. The defendant, ignorant of the specific claims about to be urged, repairs to the court, accompanied by numerous witnesses, to repel every possible demand. The plaintiff too, uncertain of his adversary's intention to admit the validity of his claim, and anxious to anticipate every defence, finds it necessary to procure the attendance of every one whose testimony can assist him. The enormous expense and trouble attending such a proceeding would amount to an absolute denial of justice in the great majority of cases.

Suppose a modification introduced, and that previously to the parties encountering each other before the judge, the plaintiff be compelled to furnish the defendant with a statement of his case. The defendant, it is obvious, will have occasion only to prepare himself with testimony to meet such case. As, however, there will be nothing to prevent his setting up a variety of defences, and as the nature of them will not transpire previously to the trial, the plaintiff will still be under the necessity of summoning the same number of witnesses as before, in order to meet every possible answer put forth by his opponent. The expense of trials, under the supposed modification, will not be materially diminished. Imagine judicial inquiries

---

proceedings; and to have felt the necessity of relieving suitors from the expense attending it when simply required for matters of a technical nature. His natural, strong, and penetrating sense, however, unassisted by adequate information as to the precise requisites of judicial organisation, failed to discover the means of carrying his views into effect. He proposed to limit the retainer of professional assistance to the trial, declaring that he had succeeded in rendering the purely technical operations so simple, "that any man who could read and write, might ensure the hearing of his action without professional assistance."—(*Hansard's Debates*, N. S., Vol. XVII., p. 1353.) He attempted to compass the latter object by abolishing pleading, and all other formal proceedings; by which the procedure of his courts would have resembled that of the tribunals of the most primitive rudeness, and would have introduced all the evils which local judicature is intended to avoid. A second error he committed by restricting the fee of the professional agent to ten shillings in each suit (*Idem*, p. 1354). No competent attorney would be found willing to act for such trifling remuneration. Economy is not to be sought at all risks. One object of Law Reform, doubtless, is to render litigation cheap; but the effectiveness of judicial proceedings must not be sacrificed to that one consideration.

conducted in this manner in a country where the progress of civilization has multiplied and jealously defined the legal rights of individuals, and placed at the command of every defendant a variety of defences springing from artificial and technical distinctions, and a tolerably accurate idea may be formed of the expenses and difficulties which attended nine trials out of ten in our superior courts, till the plea of general issue was restricted in its operation about two years ago\*.

We will now suppose a further modification—that the defendant shall also disclose the nature of his defence, and the plaintiff again make known his answer to it. A correspondence between the parties would continue until all the facts, relied upon by each, should be discovered to the other. The evidence produced by the parties being restricted to a few ascertained points in dispute, the number of witnesses required on both sides would be most materially diminished, and with it the expense and inconvenience of preparing for trial. This method of escaping the cost of crowds of useless witnesses, subject to certain technical regulations, is neither more nor less than the *special pleading* prevailing in our courts†.

---

\* The plea of the general issue was a mere *formal* proceeding, by which the defendant denied every allegation in the plaintiff's narrative setting forth his claim, and at the same time was enabled to give nearly every kind of answer at the trial by way of defence to the action. That the losing party at the trial was defeated by some unexpected case set up by his opponent, was a common ground for demanding a new trial. So harassing is the general issue to plaintiffs, that whenever it is the desire of the legislature to protect any particular class of defendants—magistrates, commissioners of bankrupt, &c., in the discharge of official duties, from actions, it expressly enables them to give every species of defence under that form of plea. Notwithstanding the obvious objection to the use of this plea in a procedure intended for the cheap and speedy administration of justice, Lord Redesdale adopted it in his plans for local judicature proposed to Parliament in 1810 and 1820. In Lord Althorp's Bills for the establishment of local courts, presented in 1821, 1823-4, and 1825, it is provided that no other plea than the general issue shall be allowed, except in case of a counter claim by the defendant by way of set off. By Sir R. Peel's Bills for reforming the county courts, brought in by him in 1827 and 1828, pleading was entirely abolished before those tribunals. Such crude attempts betray a lamentable ignorance of the most elementary principles of judicial arrangements. The observations of the Common Law Commissioners upon the mischiefs arising from the use of the plea of general issue, deserve particular attention.—See their Second Report, p. 44.

† The object of special pleading being to develop before trial the admitted and disputed facts upon which the litigated question turns, the process is

Nor is special pleading without other equally decisive advantages, wanting to more inartificial systems of procedure. It is manifest that ignorance on the part of the judge of the question he is to try, must operate to the disadvantage of honest litigants. The judge will not perceive the precise points between the parties until most of the testimony is gone through, and will then, in all probability, discover that irrelevant assertions had occupied his mind to the exclusion of more important disclosures. Nor will the jury be placed in a less unfavourable position for ascertaining the truth. A partial view of the evidence will impart a corresponding character to their decision, and the dissatisfaction of the defeated suitor will be the germ of further litigation, in the shape of new trials or appeals.

Another advantage of special pleading is, that it relieves litigation from unnecessary trials. When the judicial business begins with the latter proceeding, the subject of difference transpires during the hearing. Should this turn out to be one of law merely, and it appear that the facts advanced on either side are not contested, it is obvious that the expense of preparing for trial has been needlessly incurred, since both parties might without that proceeding have propounded the question between them to the court for its adjudication.

The object of special pleading then is to put the court and parties in possession of the litigated question, by a relation on their parts of the material facts involved. If some means could be devised to induce litigants to disclose every fact

---

effective according to the accuracy with which this is performed. Unless the minutest details relied upon by *both* parties are disclosed by pleading, its object may be defeated. By Mr. Hume's Bill for the easy recovery of small debts, introduced in 1827, special pleading was so far allowed, that the defendant was to intimate to the plaintiff the general nature of his defence, but the plaintiff was not to disclose his answer to it. The Common Law Commissioners, in their plan of procedure for local courts, propose the adoption of the same plan.—(See Fifth Report, p. 27.) After their very just remarks upon the plea of general issue, we are surprised at such a recommendation. Suppose a defendant to plead infancy to an action for goods sold. To this plea the plaintiff may have three distinct answers. *First*—Denying that the defendant was an infant. *Second*—Promises to pay after he came of age. *Third*—That the goods were necessaries. Unless the defendant is apprized before trial, which of these answers the plaintiff relies upon, it is evident that he must fortify himself with evidence against them all. How can the projectors of such schemes expect cheapness or expedition to attend their working?



within their knowledge, and avoid every kind of misrepresentation, the functions of judicature would be confined to the decision of *bonâ fide* contested points of law, or to the determining of equally *bonâ fide* disputed matters of fact. This supposes, perhaps, an unattainable degree of improvement in the judiciary process. Nevertheless, an approximation to it is the end to be kept in view in all judicial arrangements.

The motives of *malâ fide* suitors for suppressing facts or suggesting falsehoods in pleading are two; either for the sake of the consequent delay, or to lead the court into an erroneous decision. The first motive, it is evident, can be removed, or very much weakened, by curtailing to the utmost the interval between pleading and the trial, or final termination of the suit\*.

The second motive requires more complex treatment. Falsehood is not apparent on the face of a consistent narrative, and if the allegations of a party do not conflict, their truth can only be ascertained by an appeal to some extrinsic test. This observation, however, furnishes one practical means of restraining misrepresentation in pleading. If a litigant makes two inconsistent statements, both of them cannot be true, and he should be compelled to abandon one. As it would be unjust to deprive a defendant of the benefit of various and reconcileable answers, it would be a gratuitous infliction of injury on his adversary to allow him to urge inconsistent defences†.

\* This important consideration has escaped the observation of the Common Law Commissioners. It is manifest that no other means of repressing mendacious pleading occurred to them, than that offered by a better arrangement of costs than at present prevails.—(Second Report, p. 43.) In the superior courts the trial is generally so remote from the commencement of the action, that the defendant is nearly always induced to plead, although he have no real defence, in order to keep the plaintiff at bay during the interval. Inducements of this kind are direct incentives to deliberate mendacity. Yet Lord Brougham in his two first Bills (Sessions of 1830, 1830-31) for establishing courts of local jurisdiction, proposed that in some districts the judge should try causes but once a year (Section 3). It has been contended, that a suit, under the provisions of either of those Bills, might be made to last three years.—(*Westminster Review*, Vol. XIII., p. 433.) To do the noble Lord justice, however, we do not think the Sections (16, 17, 18,) referred to by the critic, justify his assertion. The provisions contained in these Sections are nevertheless very obscure.

† In their plan of procedure for local courts, the Common Law Commissioners recommend that, in addition to any defence, which, admitting the facts alleged by the plaintiff, avoids their legal effect by showing some subsequent circum-

Another method of inducing litigants to adhere to truth in their pleadings is, by providing that the proceeding should be conducted *vivâ voce* before the court. The advantages attending public examination of individuals, where discovery of the truth is the object in view, are too well understood to need any lengthened notice. Litigants who, through the medium of writing, would not shrink from suggesting a falsehood to the court, would be restrained by the fear of exposure from openly asserting it. Evasive answers returned to direct questions, contradictory assertions opposed to consistent narrative, and attempts at concealment by one party, rendered more striking by the candour of his adversary, would tend with irresistible force to evolve the truth. The other benefits of *vivâ voce* pleading, in local judicature, we shall endeavour to show by a brief examination of the unfitness of written pleadings for cheap and expeditious procedure.

---

stance, as payment, a release, &c., a defendant may be at liberty to put the plaintiff to the expense and trouble of proving the facts he alleges. — (Fifth Report, p. 26.) To us this appears like going out of the way, not only to encumber an action with the expense and trouble of proving what ought to be admitted, but to induce the defendant to deliberately deny what, from the nature of his defence, he must, nearly in every case, know to be true. In their Second Report, the Commissioners offer the following weak defence for the allowance of inconsistent pleas. "To an action for goods sold, it appears to us, that the defendant may in many cases without impropriety, plead first in denial of the sale and delivery; and secondly, that the goods were paid for; for when the purchase is alleged to have taken place at a remote period, and to be of no considerable amount, it may not improbably be forgotten by him. He may not know whether he bought such goods or not, but may know that if they were bought the debt must have been long since paid. The objection therefore to such pleas, founded on their manifest and necessary repugnancy, fails." — (p. 43.) How a defendant can prove, for pleading implies proving in this case, that he paid for certain goods, and yet pretend to say that he does not know whether he ever bought and received them, we do not see. But suppose the case possible, does its frequency, or the apparent injustice—for real injustice there is none—of restricting the defendant to one of two inconsistent defences, offer sufficient reason for the admission of mendacity? Can anything justify it? To men with minds unwarped by legal usages, inconsistent defences are decisive evidence of the validity of the claim. In criminal cases they are always conclusive of the prisoner's guilt. Suppose a man indicted for murder were to attempt to prove an *alibi*, and also that he killed the deceased in self-defence, would any jury hesitate to convict? In Mr. Hume's Bill, before mentioned, provision is carefully made for allowing defendants to put in inconsistent pleas.

When pleadings are in writing, the suitors are of necessity left to themselves to make their respective allegations, and the court is guided in its judgment by circumstances disclosed with all the colouring and misrepresentation imparted to them by the more dextrous or dishonest party. Where a tribunal is rendered a passive recipient of the hostile allegations of the suitors, it obtains possession of no more than escapes in the competition between them for making the fewest disclosures. To yield the most meagre information is always the course adopted by dishonest suitors, whilst their antagonists, to avoid the exposure of any weakness, are equally disinclined to betray more than is technically requisite to give vitality to the suit.

Without enlarging upon mischiefs resulting from the court being an inactive spectator of the altercations of the litigants, it is sufficient to state, that it should be placed in a position to demand every requisite information and explanation. Nothing can be imagined more offensive to common sense, than to expect a judge to make himself thoroughly acquainted with the facts between two disputants, and at the same time to restrict him from demanding any information beyond what they may choose to volunteer. The obvious course, is to give him unbounded discretion to inquire into every circumstance which arises in the course of the proceeding; and not only to invest him with such discretion, but to make it incumbent on him to use it.

The strongest objection to written pleadings, however, is the impossibility of any minute detail of facts being given by the litigants, except at the most disproportionate expense, and waste of time and labour. In chancery proceedings, in which a more or less minute detail of circumstances generally takes place in the pleadings, the expense is ruinous, from their length. To avoid this evil, the courts of law require the parties to state the general legal bearing of the facts they advance, without descending to particulars. Whilst, by this means, the evil of voluminous written narratives is avoided, a mischief no less grave is created. Most facts in the legal vocabulary are divisible into a smaller or greater number of component circumstances; a fact in this sense stated generally, without any of the minor particulars being mentioned, may in reality be partly admitted and partly denied between the

parties, according as they agree or differ on the several constituent circumstances. Unless pleading therefore discriminates between these component circumstances, and gives the court to understand which of them are disputed and which admitted, it is evident that its object is very imperfectly accomplished. Suppose the defence of *coverture* to be set up to an action, and denied by the plaintiff, in general terms, according to a system of written pleadings, framed to avoid prolixity; the defendant may have been married before the cause of action arose, and the plaintiff, knowing the circumstance, intends to rely upon the husband's death before that event. The circumstance really in dispute therefore, is whether the husband was dead at a certain period, and this is the only point upon which evidence would be required; but from the defence being stated and denied in general terms, unless the defendant at the trial first proves her marriage, the court cannot proceed to investigate the disputed question of the husband's death. A dishonest plaintiff has therefore the chance of the defendant's inability to prove her marriage, a point, under a perfect system of judicature, beyond dispute. Under a system of *vivâ voce* pleadings, by which the minutest circumstances would become subjects for investigation, the injustice described could not occur\*.

---

\* With the exception of Sir John Chetwode's Bill for the recovery of Small Debts, introduced in 1817, and the two bills of Sir Robert Peel before mentioned, every measure hitherto proposed to the legislature for establishing local judicature, has provided for the pleading being in writing, and the Common Law Commissioners must be understood to recommend the same thing. We have before stated that that body, and Mr. Hume, propose a limited disclosure of the facts between the litigants before trial; to avoid the expense of long manuscript narratives, they both recommend that the general nature of the defendant's intended defence should be notified with the greatest brevity to the plaintiff; for example, by the words "Infancy," "Bankruptcy," and the like. By this means much writing would certainly be avoided, but at the expense of rendering the plaintiff and the court as little information as possible, and so defeating the objects of pleading. The Commissioners as well as Mr. Hume, however, provide for the same quantity of writing in connection with the defendant's plea, as would be required for circumstantially setting forth the defence at once. They recommend, that the defendant, at the desire of the plaintiff, should furnish him with full particulars of his defence. This has rather too much the air of trifling. In his two first measures (1830, 1830-31), for establishing local jurisdictions, Lord Brougham provides for the pleadings being in writing, and in a marginal note declares that they shall be short; for this, however, no provision is made in the body of the bills (section 19); one instance only of the carelessness observable throughout the drawing of those bills.

Another objection to written pleadings is the time consumed between the several allegations. Time for preparing a statement in writing is manifestly necessary, but for the sake of the time itself, as *delay*, pleadings may be purposely multiplied. The dishonest party also gains opportunities of devising fraudulent representations, to suit each new phase assumed by the action in its progress. Truth is never in need of preparation, and has but one object—to make itself known at once. Falsehood, the offspring of forethought, requires the most deliberate management to preserve the air of veracity, and its best chance of escaping exposure is by deferring inquiry.

It may be objected to *viva voce* pleading, that the process would be attended with so much confusion, as to render it utterly inadequate to effect its object. *Viva voce* pleading, however, is by no means unknown to our judicature\*. It was

---

\* Mr. Serjeant Stephen (one of the Common Law Commissioners) in his highly esteemed treatise on the Principles of Pleading, shows that special pleading, accompanied by many of its present difficult forms and observances, was formerly carried on *viva voce* in our courts. He cites authorities to show that the practice was not abandoned till about the middle of the reign of Edward III. (1350), although he appears to think that the manner of allegation as carried on in special pleading (*i.e.* the technical special pleading of Westminster Hall), was methodically framed and cultivated as a science in the reign of Edward I. (1272—1307), and states, that the very earliest of the year books, which begin with the reign of his successor, exhibit proofs that (special) pleading was by that time in a comparatively perfect state. [Note (38), Appendix, p. 43, First Edition.] *Viva voce* pleading therefore, and special pleading, even when accompanied by embarrassing forms and technicalities, do not appear to be inconsistent. We should state, however, that the learned author remarks that oral pleading is the natural practice of countries in which the arts of civilization have made little progress (p. 29). By which it may be inferred, that he attributes the written pleadings of our superior courts to advanced refinement. It is easy, however, to conceive that the tranquillity which succeeded the continued turbulence of the times of the predecessors of Edward III., gave considerable encouragement to litigation in the reign of that monarch. The business of the superior courts must have been also considerably augmented shortly prior to this period, from the jurisdiction of the county courts being rigorously restricted by Edward I., to cases under 40s. The increase in the number of litigants in the superior tribunals, from these concurrent causes, must have rendered personal appearance in court, to plead by word of mouth, extremely irksome to the suitors. It may be easily imagined, therefore, in the absence of direct information on the subject, that an interchange of written altercations, out of court, was adopted for the necessary convenience of suitors, and to enable the courts to get through the increased pressure of business. This hypothesis affords a much more intelligible explanation

by *vivá voce* pleading that the facts of a litigated case, and the points in difference between the parties were evolved, under the plea of general issue, as they still are when that plea is allowed without its late restrictions. It was never objected to that form of plea, that the questions upon which the suit turned were not sufficiently developed, but that they transpired at too late a period in the proceedings, to spare the parties the expense of numerous witnesses, or the other evils arising from pleading and trial being united in one operation. In most classes of criminal prosecutions; in the trials of appeals at Quarter Sessions, and in many other instances, the process of pleading accompanies, and is interwoven with the course of the evidence. In arbitration, the points for the consideration of the arbitrator are nearly always presented to him through the medium of *vivá voce* pleadings. If the pleading in all these cases is occasionally imperfect, it is owing to its being encumbered with the contemporaneous proceeding of the trying the truth of the facts averred, by extrinsic aid. A meeting of the suitors before the judge, for the sole purpose of discovering the questions in litigation between them, would, of course, be freed from such obvious drawbacks, and its object proportionably secured.

Though the ability of the judge to extract the matters connected with the litigated question between the parties be admitted, it may be objected that the parties themselves would rarely be prepared with the information requisite to enlighten the court and each other sufficiently upon their respective cases, at one interview. We think this would be avoided by our proposal to furnish them with professional aid, and by rendering it incumbent on the plaintiff to advertise the defendant of his claim before-hand. It must not be forgotten that truth is always ready, and its explanations only require to be guided by the hand of skill, to give them full effect. The honest suitor will

---

of the fact of the pleadings in our superior courts being carried on by writing from the period in question, than the vague suggestion of the author, that the practice resulted from our progress in the arts of civilization. By widening the avenues to justice, through the institution of courts of local jurisdiction, personal appearance will again become a convenience to the suitor, and the copiousness and precision of *vivá voce* altercation, supersede the vagueness and imperfections of written narrative.

always be prepared—the less prepared a fraudulent one is taken, the better for the ends of justice.

With reference to the process of pleading, we would recommend that the plaintiff's statement be, in the first instance, assumed by the judge to be true, and that both parties be subjected to a rigorous cross-examination upon it. The method of conducting this proceeding might be left to the discretion of each individual judge. One might prefer to begin the examination himself, and then to deliver each party over to his adversary's attorney; whilst another might think it more expedient to let loose the agents upon the parties in the first instance, reserving to himself the further attempts to extract the facts their sagacity had failed to discover. The proceeding would conclude by the judge stating in concise terms, that the plaintiff's claim was so and so, but depended upon such and such contested point of law, or of fact. If the contingent question were one of law, judgment would be given immediately: if of fact, the court would deliver to each party a statement of the precise point, with a note of the necessary evidence.

At the trial of contested facts, the parties should again attend the court, to explain any new matter or views disclosed by their witnesses, and also to be interrogated as to their knowledge of the facts they had unsuccessfully put in issue. This latter purpose has reference to the suggestion we have already made, and to which we shall again have occasion to advert, for repressing mendacious statements on the part of litigants, by the infliction of suitable penalties. In connection with the subject of trial, we will notice the project of subjecting the declarations of the parties to the sanction of an oath when received as evidence in the suit. Most of those who have abandoned the maxim of our courts, that the testimony of a suitor is not to be taken in his own case, have thought it necessary to go to the opposite extreme, and place the parties upon the same footing as witnesses\*.

---

\* In his second Bill (1820) Lord Redesdale provided that the parties should be examined on oath; with the exception of imposing the oath, the clause is well adapted to secure its object. By Sir J. Chetwode's Bill, both parties were to be examined on oath. To Lord Althorp's second Bill, the House of Commons in committee added a clause, to enable the court to examine the parties on oath. The same clause was inserted by himself in his third Bill. Mr. Hume

The objection to such a course is, that it would inevitably serve to cast the imputation of perjury upon every defeated suitor. The difference between unintentional, or *bonâ fide* error, and deliberate mis-statement, would be lost sight of, from both being attended with the same penalty; and every man who did not place the most implicit reliance upon his memory, for the minutest particulars of his case, would be deterred from entering a court of justice. It would place the conscientious suitor at the mercy of his less scrupulous adversary, and by the favour thus indirectly shown to the latter, unlimited encouragement would be given to false swearing. This is on the supposition that the oath of one party is always to be conclusive against that of the other. But suppose the court to regard the statements of both parties as testimony in the cause, it is evident, if they coincide, that for the purpose of eliciting the truth, it is immaterial whether they be delivered on oath or not. If they do not coincide, it is equally clear that the oath does not afford any criterion of the truth or falsehood of either, and that the veracity of the parties can only be ascertained by reference to external circumstances. Although some of these remarks may apply to witnesses, all of them do not. A witness is by no means in the same position as a party; his knowledge of the facts he speaks to is generally assumed to be limited and incorrect, when he is in error, from the absence of direct interest in the subject matter of the suit; and the subordinate character he bears, tends to withdraw him from the observation which would infallibly be bestowed upon a party giving testimony in support of his own case. The verdict of a jury adverse to the evidence of a witness does not, therefore, of necessity, render him liable to the imputation referred to.

The difficulty presented by the inability of a party to appear, whether from illness or distance, may be obviated by allowing

---

excluded the evidence of the parties to the suit. Sir R. Peel provided in his Bills for the parties being examined on oath. In actions for sums above *5l.*, Lord Brougham, in his two first Bills excluded the testimony of the parties, but for claims under that amount provided for its being taken on oath. In the noble Lord's third Bill (1833), he provided for the examination of the parties on oath, at some period between the pleadings and the trial, for the purpose apparently of discovering evidence of the facts put in issue.



a representative, professional or otherwise, to attend for him. The absence of the party to be taken as evidence *quantum valeat*, and the statements of his representative to be regarded in every case as his own. Under certain circumstances particular difficulties might be avoided, by allowing a party residing at a distance to be examined by the judge of his district, under instructions from the district court of his opponent.

*Appeal and New Trial.*—Not only the Common Law Commissioners, but most of the authors of the schemes submitted to the legislature, with reference to local judicature, appear to have found great difficulty in the consideration of the questions of appeal and new trial. The following extracts from the Fifth Report of the Common Law Commissioners comprise their recommendations and reasoning upon those subjects :—

“ It cannot be doubted that even where actions are brought in the superior courts, if mistakes, both in point of law and fact, were not to be subject to revision and correction, the trial by jury would constitute a very imperfect and uncertain institution for the purposes of justice. On the other hand it is plain, that to extend generally to an inferior court the power of granting new trials, and the establishment generally of a power of appeal from the local judge, would be to expose suitors to costs and delay, burthensome and prejudicial to the litigant parties, and inconsistent with the principles of economy and expedition, by which the proceedings of such a court ought to be regulated.

“ We think that either to exclude the power of appeal altogether, or to admit it without restraint, would be attended with considerable inconvenience, and that the ends of justice would be best attained by permitting an appeal under restrictions, which while they excluded any abuse of the power for the purpose of vexation or delay, might afford an opportunity for remedying palpable errors, and thus obviate the objections which must always attach to a court, which is not subject to control from the salutary apprehension of an appeal.

“ We recommend that the judge should have power to grant a new trial at the instance of either party, on the ground of any palpable mistake or error on the part of the jury, upon the payment of the costs of the former trial by the party making the application, and giving sufficient security by recognizance for the general costs of suit, and if defendant, also for the debt or damages for which the verdict is given ; and that in case of any supposed misdirection or error on the part of the judge, the party thinking himself aggrieved should, on entering into a recognizance with sufficient sureties for the costs of suit and of appeal, and if defendant, also for the amount of debt or damages for which a verdict may have been given, have an appeal to two of the judges of the superior courts.”—(p. 28.)

The Commissioners, after observing that the privilege of appeal is inimical to cheap and expeditious procedure, come to the conclusion that an appellate jurisdiction is necessary to local

judicature\*. It is difficult to imagine how any other conclusion could be arrived at by persons reflecting upon the only mischiefs of any magnitude likely to attend the administration of the law through several independent judicatories. And taking into consideration the peculiar nature of the mischiefs alluded to, it is equally difficult to imagine why the recommendation of the Commissioners did not extend to place the remedy of appeal and new trial, the only remedies devised, at the ready use of every suitor. But such is the obliquity of their reasoning, that they advise the proceedings in question to be hampered with restrictions of a nature calculated to confine their benefits exclusively to the wealthier class of litigants. It is hardly conceivable that advice so fraught with injurious consequences to the ends of justice, should have emanated from any number of thinking men.

A more reasonable method of treating the subject would have been as follows:—"Here," they might have said, "is a pro-

---

\* Although the conclusion of the Common Law Commissioners differs from that come to by the Committee of the House of Commons, appointed in 1823, on the motion of Lord Althorp, to inquire into the then existing mode of recovering small debts, the reasoning of the two bodies upon the subjects in question is strikingly similar. The Committee represents that "whatever objections there may be to establishing courts without appeal, when the causes to be decided by them are of great importance, it is quite obvious that if a power of appeal is given in courts such as those which are the subject of this Report (*i. e.* county or local courts), all hopes of establishing a cheap jurisdiction must be given up. The decision therefore of these courts must be final; but if it should appear to the assessor (judge) that the decision of the jury has been directly contrary either to law or to the evidence, he ought to be empowered to order a new trial. This power to be exercised only once."—(p. 9.) In both of Lord Redesdale's plans the defeated litigant was allowed, without any restriction, to bring the case before the superior courts by the costly and dilatory proceeding of a "Writ of False Judgment." Sir J. Chetwode, whose project was to give magistrates a summary jurisdiction in simple contract debts not exceeding 5*l.*, proposed that the dissatisfied party should have an appeal to the quarter sessions, upon entering into a recognizance duly to prosecute such appeal. By Lord Althorp's Bills one new trial was allowed if the local judge should be of opinion that the verdict of the jury on any issue was contrary to law, or evidence. It does not appear what Mr. Hume's intentions on the subject were. From the last clause in his Bill, it may be inferred that he did not intend to exclude parties from applying for a new trial. Sir Robert Peel allowed a second trial, and in some cases (it may be inferred from the language of his Bills) a third. Neither Sir R. Peel, Mr. Hume, nor Lord Althorp, proposed any plan for correcting the erroneous decisions of the judge.

“ceeding which, to effect certain beneficial objects, it is highly  
 “desirable to place at the service of every suitor; but as there  
 “will not be wanting suitors to pervert its use to purposes of  
 “fraud, delay, or vexation, it is necessary so to adapt its  
 “forms as to exclude the possibility of such purposes being  
 “answered.” As the learned Commissioners have not alluded  
 to the question under this aspect, it is fair to presume that they  
 regarded the proceedings of appeal and new trial as necessarily  
 expensive, dilatory, and open to abuse—for it is next to impos-  
 sible that so rational a mode of viewing the subject should  
 have escaped their penetration.

The objects of an appellate jurisdiction in a system of local  
 judicature are three. *First*—To afford relief to individual  
 suitors from the hardship of occasional erroneous decisions of  
 the local judge. *Second*—To excite the skill and attention of  
 that functionary in all causes coming before him; and *Third*—  
 To maintain uniformity in the decisions of the tribunals in  
 question throughout the country. To effect these objects, it  
 is evident that the privilege of appeal must be as free from ob-  
 struction as possible, every artificial impediment being *pro tanto*  
 an obstacle to the correct or uniform administration of the law.

A suitor can avail himself of the proceeding of appeal for  
*malâ fide* purposes only, inasmuch as it allows him, by its com-  
 plex arrangements, to endanger his adversary's case, or by its  
 prolixity and costliness to annoy and harass him. To prevent  
 such attempts, it is necessary only to take away these induce-  
 ments by introducing into the proceedings simplicity and  
 celerity, together with the lowest possible expenditure. And  
 if these means are found to be occasionally inoperative, the  
 deficiency should be supplied by annexing punishment to the  
 abuse of so wholesome a privilege, instead of indiscriminately  
 forbidding its use to all but comparatively affluent suitors\*.

---

\* A more striking instance of the neglect of arrangements necessary for  
 insuring the success, or avoiding the mischiefs of an appellate jurisdiction, can-  
 not be conceived, than is afforded by Lord Brougham's two first measures for  
 establishing local courts (1830, 1830-1). His Lordship allowed either party,  
 dissatisfied with the decision of the local judge, or jury, to apply to the judges  
 sitting at *Nisi Prius*, at the next assizes for the county, upon giving his opponent  
 notice of his intention fourteen days before the commission day of such assizes.  
 —(s. 41.) The judges at *Nisi Prius* were to have power to order a new trial, or

The suggestion we have already made as to the conduct of appeals, we think would totally exclude complexity from the proceeding. The expense attending the transmission of the judge's notes, instructions to counsel, and their fees, must fall upon the parties; but the amount might be settled at a sum by no means burdensome to the suit. Delay might be avoided by the perpetual sitting of the appellate court; and for the purpose of keeping down arrears, or relieving the judge from the irksomeness of labour without remission, there could be little objection to the appointment of two judges to sit apart for dispatch of business. The expense thus reduced within a narrow compass, and the delay not much exceeding three or four days in jurisdictions not far removed from the metropolis, all inducement to resort to appeal for dishonest purposes would be removed.

The proceeding of New trial we consider to be widely different from that of Appeal, the extent of the benefit to be derived from a new trial being an uncertain relief to individual suitors from the consequences of a wrong estimate of evidence by the jury. Facility afforded to suitors of obtaining a second or third trial at a trifling expense (which is assumed in local judicature) must naturally tend to make them remiss in the preparation and production of evidence at the first, and render the jury and even judge less solicitous as to the event according with strict justice. It may be questioned whether the occasional inconvenience arising from a constant refusal of a second hearing, would not be compensated by the increased diligence with which the first investigation would be conducted. In the

---

to revise the decision complained of in matter of law.—(s. 46.) If either party were dissatisfied with the decision of the judges at *Nisi Prius*, he was to be at liberty to bring the matter before one of the courts at Westminster.—(s.s. 45, 47.) It is manifest that twelve months, or more, of delay, would be placed at the command of a dishonest suitor by this mode of proceeding. A trial in the local court might take place a few days before the summer assizes (July), the appeal to the judges at *Nisi Prius* could not be heard till the following March or April. Two or three months in addition, would not be too long a period for the question to be depending before Westminster Hall. The means provided by his Lordship against the abuse of this extraordinary privilege, placed at the service of dishonest suitors, was no other than that hit upon by the Common Law Commissioners, viz.—compelling the appellant to give security for the costs of the cause, and of the appeal, and for the amount recovered, if any.

most important of all judicial proceedings—that in which the life of a party is at stake—no new trial ever takes place.

But we contend that a new trial is at best but a troublesome and imperfect method of rectifying the verdict of a jury. In the interval between the two trials evidence may be lost, from the death of witnesses or other accidents. An opportunity for the production of fresh evidence, a case in which a new trial is considered essentially beneficial, is generally required from the negligence of parties on the first hearing, or from their being taken by surprise, which latter danger is to be remedied, as we have already seen, rather by improving the system of pleading than by the process of a new trial. If fresh testimony be *bona fide* discovered subsequently to the first trial, it furnishes no reason for a new one, unless it comes to light before final judgment and execution—a principle necessary to be acted upon by all courts. But this is a case, which in the assumed rapid march of the proceedings in local judicature would be next to impossible. If the same evidence is to be offered on the second trial that was offered on the first, a new trial can only be deemed a necessary privilege, on the illusory assumption that a second jury uniformly possesses superior intelligence to the first.

By giving the local judge the power of directing a new trial (the plan adopted in most of the schemes for local judicatories presented to the legislature, and also in the Report of the Common Law Commissioners) an authority, although certainly of a limited kind, would be bestowed upon him to overlook and correct the verdict of the jury. This follows entirely from a necessary assumption that his estimate of the evidence is to be preferred to that of the body whose decision he is to revise. And there can be little hesitation in admitting that the views of the judge would be more correct than those of the jury, and ought to prevail, when their opinions with respect to the evidence happen to conflict. By investing the local judge, therefore, with the power of altering the verdict of the jury, the suitor would be secure of a due correction of errors committed by them; whilst the local judge would be induced to use his discretion with tenderness, from the ease and rapidity with which his decision could be impeached and canvassed before the appellate jurisdiction. Nor would this method be so expensive as a new trial, and the delay would be less in every case. If, there-

fore, after trial, a further investigation of the facts is desirable at all, we are of opinion that it could be had with a result much more satisfactory, and with less delay and expense by the method proposed, than by a fresh inquiry before a second jury. And we see no substantial reason for excepting those actions which are brought for the recovery of damages only, such as slander, &c., from the proposed mode of rectifying the verdicts of juries.

*Costs.*—We have already insisted upon the necessity of relieving litigation from expense, in order to place justice within the reach of every class of suitors. There are only two reasons for throwing the costs of the proceedings upon the parties under any judicial system. *First*—The impossibility of avoiding it; and *Second*—the alleged check they furnish to the abuse of legal proceedings for fraudulent or vexatious purposes, if awarded with strict reference to the merits of the contending parties. We think we have already sufficiently shown that costs may be very considerably diminished by apt arrangements in local judicature; but we are satisfied that we have a still more conclusive answer to the second reason for retaining them. The Common Law Commissioners in the Second Report (pp. 48, 51) appear, from their recommending mendacious pleading to be visited with costs, to adopt the opinion, that, by a distribution of costs, according to the meritorious conduct of the parties, and not according to the event of the suit, as is the practice in our Common Law Courts, fraudulent or vexatious proceedings are to be prevented. Now, if one party to a suit acts with *bona fides*, which is nearly always the case, it is manifest that he ought to bear no portion of the attendant costs—it is too clear to admit of argument; the Commissioners by the reasoning of their Report allow it. The whole costs therefore, in such case, must be borne by the adverse party. But the proceedings of the latter may be marked with any one of the numerous degrees of misconduct; from simple evasion, almost venial, to fraud of the most culpable kind. Indeed there is no reason for not assuming a case where he may have acted with perfect *bona fides*. In all these cases a similar amount of costs is nevertheless to be indiscriminately inflicted on him, by the system of imposing the costs of litigation upon

suitors. If not, who is to defray them? Not the honest litigant first mentioned, for that is admitted to be an injustice; and not the judicial establishment, for that is against the supposition that the costs of litigation are to be borne by the parties. By throwing the costs of litigation on the suitors, therefore, the following dilemma inevitably presents itself. Either injustice is committed by imposing costs on the *bonâ fide* party; or, fraudulent conduct is punished with the same penalty in every case without reference to its degree, its nature, or the mischief it produces. The consequence is, that the idea of misconduct or fraud is very rarely associated with the award of costs. The notion attached to the payment of costs in our courts, is illustrative of the correctness of this view of the subject. It is *unlucky*, it is a *misfortune*, no doubt, to have to pay them, but it is never regarded as a matter deserving, or attended with, public opprobrium. The whole amount of the infliction is a pecuniary one, and as we have before had occasion to remark, is only an object to the poorer class of suitors. Costs therefore cannot be awarded between the parties without committing injustice, so long as they are to be borne at all events by one or both of them. The smallest amount of costs imposed upon suitors, is *pro tanto* mischievous, and therefore should only be borne by them when all other means of defraying them fail\*.

The proposition of apportioning costs between the parties to a suit, according to their conduct, saves us the trouble of showing that it is possible for a court to discriminate between the proper use, and the abuse of its procedure by the suitors. We

---

\* Since writing the above, we perceive that an able contemporary, the *London and Westminster Review*, describes Mr. Wallace's proposal to check certain abuses of judicial forms in the Scotch system of procedure by the infliction of costs, as "a bolder approach to true principles than has yet been ventured upon" by any of those who have tried their hands practically at law reform; and in addition eulogises the somewhat empirical recommendation, that no practitioner should have any action at law against his client, or the opposite party, for services tending to prevent or impede the course of justice. (See the No. just published, *Art. Law Reform for Scotland*, p. 149.) The present is not a convenient opportunity for discussing Mr. Wallace's bills, but we cannot forbear expressing our opinion that the reviewer, who more than once familiarly refers to Mr. Bentham, has not very diligently compared their provisions with the principles advanced in the writings of that great authority on all matters connected with law reform.

have no doubt of its practicability; but the concurrent opinion of such a body as the Common Law Commissioners, is satisfactory. We have moreover their sanction for regarding the abuse of the forms of legal procedure as deserving especial punishment; their proposal to turn costs into a penal instrument proves it. In Mr. Cameron's Report upon the Judicial Establishments in Ceylon, he recommends the abolition of all costs commonly regarded as incidental to litigation, and in their stead advises the imposition of penalties upon those who make an abusive exercise of the services of tribunals\*. The latter suggestion we consider to be particularly applicable to the procedure of courts, established for the speedy and certain administration of justice in this country. By the imposition of fines, punishment could be effectually inflicted on all classes of *malâ fide* suitors. The pecuniary loss would deter the indigent from a wrongful use of legal proceedings, whilst a heavier penalty, coupled with the scandal of punishment judicially inflicted, would operate in a similar manner upon the rich. Every degree of delinquency could be reached by modifications in the sentence by which the fine is inflicted; and the court would never be placed in the difficulty of awarding punishment, as proposed by the advocates of the retention of costs in the judicial system, between two equally honest parties. Another consequence of inflicting pecuniary penalties upon dishonest litigation, would be the creation of a fund for defraying the expenses of the judicial establishment.

*Jurisdiction.*—It may be expected that we should offer some suggestions upon the extent of the jurisdiction of local courts,

---

\* "Report of Charles H. Cameron, Esq., one of His Majesty's Commissioners of Inquiry, upon the Judicial Establishments and Procedure in Ceylon, "dated 31st January, 1832," pp. 83, 84. This admirable state paper merits the close attention of every one interested in judicial Reform. It is impossible to peruse it carefully without acknowledging the light he has thrown upon some of the most difficult subjects connected with judicature, or without adopting, for the most part, his reasoning and conclusions. The Report has hitherto attracted but little notice, which is much to be lamented. We are convinced that, if the Common Law Commissioners had considered its author's recommendations (or at least those of a general nature and applicable to judicature in every country) before they made their Fifth Report, their opinions would have experienced considerable modification.



founded on the principles we have advanced in the course of this article. We see no reasons against extending such jurisdiction to all civil cases, except such as are forced upon our attention by entirely extraneous circumstances. We are particularly desirous of not unnecessarily exciting the opposition of the legal profession to the establishment of local judicature. Hostility from such a quarter however can only be avoided, by providing that the new system shall encroach as little as possible upon the present sources of business. We are equally solicitous not to interfere with the arrangements of existing institutions, until the success of a novel procedure is established by satisfactory experiment. By restricting the jurisdiction of the courts in question to a comparatively small pecuniary amount, both these objects will be sufficiently attained. Such a restriction, will also offer no impediment to the fair trial of the experiment of local courts, since it will not exclude from their operation the class of claims—debts and damages of inferior amount, for which their agency is especially required, and for which there is no remedy afforded by our present judicial system. By limiting the jurisdiction to 50*l.*, but little injury would be inflicted on the body of the legal profession, whilst an immense class of cases that are now withheld from the operation of the law, would immediately become subjects of litigation\*.

---

\* The tendency of *cheapness* in judicial proceedings to promote litigation, even when unaccompanied by certainty, or any very great degree of celerity, is easily shown. By examining the Parliamentary returns of the amount of business transacted in eighty-four inferior Courts of Record of local authority, in England and Wales, from 1823 to 1827 inclusive, it will be found, that the average annual number of arrests for debts, for the five years, was 4101; and that the aggregate population, subject to the jurisdiction of these courts, was 1,733,760. It appears, by the First Report of the Common Law Commissioners (p. 202), that the average annual number of arrests for debts, on process from the superior courts at Westminster, and from the courts of the County Palatine and Wales, during the same years, was 34,899; the population subject to their several jurisdictions being 13,897,187. The business transacted before the inferior Courts of Record, therefore, nearly equalled that performed within the limits of their respective jurisdictions by the superior courts, and the courts of the Counties Palatine and Wales. For the present object we have classed the Palatinate and Welch courts with those of Westminster Hall, since their proceedings were, during the period in question, quite as expensive as those of the latter tribunals.—(Same Report, p. 206, 207.) Upon a further

For the same reasons we would exclude from the jurisdiction of the courts in question all cases which, though nominally

inquiry into the constitution and procedure of the eighty-four courts referred to, it will be found that the jurisdictions of nearly one-fifth of them are confined to sums under a certain amount; that in most of them, the inhabitants of the town only in which they are situated, possess the privilege of suing in them; that in others such inhabitants alone can be sued; whilst in most, the cause of action must arise within the jurisdiction of the court in which it is prosecuted. (*Vide Reports of the Municipal Corporation Commissioners, passim.*) In addition to the causes enumerated, tending to diminish the resort to these courts, there is another, of a very formidable nature, common to all of them. Either party to a suit is at liberty, at any stage of the proceedings, to remove it into the superior courts, where the action must be commenced *de novo*, involving the suitors in an enormous and extra amount of costs. Another evil of no less magnitude, and equally tending to diminish the utility of these tribunals, is the want of any practical means for rectifying the decisions of the judges, or verdicts of the juries. It appears, however, from the Appendix to the Fifth Report of the Common Law Commissioners, that the costs of the proceedings of these courts, are not, on the average, more than one-third of those of the superior courts. This alone can account for the amount of business they attract, for it cannot be owing to any extraordinary rapidity of their operations, or the superior excellence of their interpretation of the law. An accurate exposition of the constitution and working of these courts, is highly desirable, with a view to throw additional light on the subject of local judicature. The Common Law Commissioners by their trifling remarks, betray the little consideration they paid to these numerous and active tribunals.—(Fifth Report, pp. 10, 11.) The Municipal Corporation Commission offered a most excellent opportunity for collecting information upon the whole subject, but the commissioners generally paid little attention to it.

A return made to the House of Commons in the session of 1835, shows that the average annual number of causes instituted in twenty-eight Courts of Requests, for England and Wales, with jurisdictions limited to 40s., was 78,086 for the five previous years; and that the average annual number of causes during the same period for twenty-nine Courts of Requests, with jurisdictions restricted to £.5, was 79,231. The Bath court, with a jurisdiction in sums under £.10, entertained, on an average, during the same period, 3,806 actions annually; and in the Bristol court, with a jurisdiction in cases between £.2 and £.15, 2117 suits were instituted for debts varying in amount between these two limits. The return does not comprise any account of the business of the Courts of Requests of the western half of the hundred of Brixton, of Newcastle-upon-Tyne, of Wednesbury, Bilson, &c., of the parishes of Stepney and Hackney, of the isle of Wight, of Cirencester, of Norwich, or of the County Court of Middlesex, which, from its peculiar modification by an Act of the Legislature in George II.'s reign, may be regarded as a Court of Requests. From other sources, however, it appears that in the Stepney and Hackney court, the jurisdiction of which extends over debts between 40s. and £.5, the number of cases tried in 1823 was 653. In the County Court of Middlesex, taking cognizance of claims below 40s. only, the average annual number of causes determined, according to

involving amounts under the sum proposed, turn in reality upon questions which implicate interests of much greater magnitude. These cases were excepted from the operation of Sir R. Peel's Bills, under the following description:—"Any title to freehold or copyhold, or lease for years, or tithe, toll, market, or other franchise, or any title under commission of bankruptcy." We are inclined to adopt the same exception, omitting from it, however, actions by landlords for the recovery of property let at a rent not exceeding 50*l.* per annum. We need hardly observe, that the jurisdiction of the proposed courts must also be exclusive; a concurrent jurisdiction would

---

the statement of Mr. Heath, the county clerk, was 16,000 or 17,000, prior to 1823. There are no published accounts of the number of actions commenced in the superior courts for the five years mentioned; but for the year 1834, the total number of actions of every kind, for the recovery of debts and damages, the decision of questions of right, &c., only amounted to 99,360, which there is no reason to suppose is above or below the average annual amount. An accurate comparison cannot be instituted between the number of suits in the Courts of Requests and those in Westminster Hall, since the latter, when brought for recovery of debts, are above 40*s.* By taking, however, one quarter of the actions brought in the superior courts to be for debts under *£*.15, it will be found that the Courts of Requests at Bristol decided about one-eleventh part as many causes as the courts at Westminster for the whole of England and Wales, whilst the population of this portion of the United Kingdom is not more than 118th part of the whole. The great number of cases decided in the Courts of Requests, must be entirely attributed to the extreme cheapness and celerity of the proceedings; the costs being rarely above 4*s.* 6*d.*, and the suit very seldom exceeding a fortnight in duration. The Common Law Commissioners in their Fifth Report have noticed these courts in the most cursory and unsatisfactory manner. The ignorance generally prevailing with respect to them is surprising. We remember, in the course of some debate on Law Reform, Lord Brougham stating, that there were between two and three hundred of them in the country. Sir John Cross, the chairman of the Manchester Court of Requests, whose opinion as a person practically acquainted with the working of courts of local jurisdiction, has been cited against their utility, in his communication to the Common Law Commissioners (Fifth Report, Appendix B [11 B.]), stated he had no doubt of there being at least 300 or 400 Courts of Requests in England and Wales. Mr. Tidd Pratt has with great industry collected and published the Acts of Parliament by which the existing Courts of Requests were originally established, or subsequently modified. With the help of his work, and by carefully examining the Appendix to the Fifth Report of the Common Law Commissioners, and also the Reports under the Municipal Corporation Commission, we have been enabled to discover no more than seventy-six. It may be mentioned that Mr. Pratt has omitted, in his otherwise accurate work, the Courts of Requests of Newport, Newcastle, Norwich, and one of the two Courts of Requests at Bristol.

only serve to put into the hands of an ill-intentioned litigant the means of fraud and oppression, by introducing uncertainty and difficulty into the pursuit of justice\*.

Having given our reasons for limiting the operation of local courts to causes of action not exceeding 50*l.*, it is necessary to state the modifications to be introduced into their procedure where sums of a value too small to bear even the limited degree of expense we have left to be defrayed by suitors in ordinary suits are in question. Debts amounting only to a few shillings, and open to dispute, exist for the most part between persons of the poorer classes. In cases of contested claims of this nature, the parties are generally unable to pay the costs of litigation, although they amount to four or five pounds only. It is evident, therefore, that the procedure

---

\* The obvious obstacle in the way of giving the proposed courts an exclusive jurisdiction, consistently with the proposed forms of procedure, is that it would virtually abolish arrest for debt for all sums taken cognizance of by them. Suits attended by the arrest of the person of the defendant before judgment, are more complex than those of which the sole object is the judicial decision of the question between the parties; in the former case, the proceedings to effect the prime object of the suit, must necessarily be encumbered with collateral operations to prevent the improper release or detention of the defendant. If the only object of an action were to determine the variance between the parties, there could be no question upon the propriety of restricting a suitor to one simple form of proceeding; the utility is too obvious to be discussed. Since, however, the arrest of the defendant is regarded as a security for the debt, the loss of that security it may be contended is not compensated for, by mere uniformity or simplicity of procedure. We maintain, however, that that severe law is totally inadequate to answer its proposed end, and that in lieu of furnishing a security for credit, as originally intended, it has, if any thing, rather tended to weaken the creditor's remedy, owing to the observances that are demanded in a civilized community for mitigating the rigours of confinement. This is demonstrated by the working of the Insolvent Debtor's Court. We consider, therefore, that the inutility of imprisonment for debt, and the increased difficulties of the proceedings in suits in which arrest is allowed, afford sufficient reason for abolishing the practice in all cases falling within the jurisdiction of the proposed judicatories. The impounding of chattels, the property of the defendant, has been proposed as a substitute for the arrest of his person at the commencement of the suit. The occasional rights of third parties in personal chattels, the determining every one of which is a law suit of itself, appear to furnish a substantial objection to this scheme. An attentive consideration of the question of involuntary security before judgment, will make it manifest that the time consumed in law proceedings, should, in all cases where they have reference to ordinary transactions between debtor and creditor, be regarded as parcel of the time for which credit without security was originally given.

we have suggested for local courts, is not adapted to this class of disputed claims. Nor can the expense attending its operation be diminished without a corresponding reduction in its efficacy. The question then, with reference to such cases is, whether to exclude them altogether from the operation of the proposed tribunals, or to apply to them a less efficacious procedure. We incline to the latter plan, since at present we have no hope of being able to provide a more perfect system for their adjudication. We would rather afford a chance of justice, than deny it altogether. We propose, therefore, to extend the jurisdiction of the local courts to sums of the most trifling amount, but with the following modifications in the practice in cases under 40s. As professional assistance and the operations of appeal would be the chief sources of expense in our plan of procedure, they might be dispensed with, by which only one occasion for outlay of money on the part of the suitor would remain,—the production of evidence. Although this may be regarded as a wide departure from the principles we have already maintained, it is evidently entirely owing to the necessity of the case.

An ingenious critic has endeavoured to place the advocates of a local administration of the law in a dilemma, fatal to the cause they espouse.

"We are quite aware that the appellate court might have the power of definite fixation; but the generality of suitors shrink from so expensive a criterion, and though all were eager for the ultimate resort, we should still be left in a dilemma. To suppose a multiplication of appeals, is to suppose a failure of the scheme. As no legislature can create tribunals which, separated by broad lines of demarcation, will reason and adjudicate in concert, either, as we contend, an endless series of diversities prevails, or the mischief is kept down by a constant resort to the last stage of litigation, by carrying causes to that very metropolis, which the whole machinery was set at work to shun. One evil or other we should have\*."

The fallacy in this statement of the effect of an appellate jurisdiction is sufficiently obvious. The purpose of local judicature is not to shun the metropolis, but to afford a cheap, simple, and expeditious administration of the law to all classes

---

\* *Law Magazine*, Vol. I., p. 203. This argument against a local administration of justice, is repeated with confidence as to its validity, in the fifth vol., p. 3. The publication in question appears to have furnished Lord Lyndhurst with most of his objections to Lord Brougham's third bill for establishing courts of local jurisdiction.

of suitors. In common with the more reasonable advocates of that object, we are of opinion, that it is only imperfectly attainable without an appellate jurisdiction, placed in London, or some equally convenient situation. This we think we have shown can be satisfactorily effected at very small expense, and without great delay or trouble to the suitor. Suppose an appeal to happen in every case, which manifestly is out of the question, still there would not be any thing in the proceeding productive of the enormous delay, uncertainty, and ruinous expense attending a central administration of the law. For it is between that system of judicature, and carrying causes to the metropolis by appeal, that the critic wishes to establish a parallel, if not an exact identity; the dilemma being entirely constructed on the gratuitous assumption that the constitution and proceedings of a court of appeal are of necessity like those of the superior courts—a palpable absurdity.

By rendering appeals cheap, speedy, and free from liability to abuse, we maintain that the tendency of several independent judicatories to create a diversity of law, by conflicting judgments, will be sufficiently counteracted. The fear of a various interpretation of the law is very strong with the opponents of local judicature. In the debate on Lord Brougham's third bill (9th July, 1833), Lord Lyndhurst made much of it. Lord Wharncliffe and others also appeared to think it a fatal objection to the establishment of local courts. It is an argument also much relied upon by the *Law Magazine*, a decided antagonist of their introduction. From the present unanimity in the interpretation of the law, they would have us think that there is no instance in the country of the administration of justice by local judicatories. One of the most perfect branches of our jurisprudence, however, the Poor Law, before the late change, was administered throughout the country by local judges, subject to correction by the Court of King's Bench as an appellate jurisdiction. The criminal law, except as regards the most serious offences, is administered throughout the country by local judges. In civil cases, numerous judicial inquiries take place before the under sheriffs of counties and cities; before these same functionaries all ordinary cases of debt under 20*l.* are now tried; and every county court is, in effect, presided over by the same officer.

Before the reform of the municipal corporations, there were, in England and Wales, one inferior court of record, with a jurisdiction restricted to sums under 300*l.*; one, under 200*l.*; ten, under 100*l.*; one, under 66*l.* 13*s.* 4*d.*; one, under 60*l.*; five, under 50*l.*; nine, under 40*l.*; one, under 30*l.*; ten, under 20*l.*; eight, under 10*l.*; six, under 5*l.*; one, under 4*l.*; and eleven under 40*s.* There were also nine courts of record, having cognizance of actions above 40*s.*; and 122 with jurisdictions totally unrestricted by any pecuniary limit whatever. These courts varied as to the nature of the actions they entertained, and also, in many instances, in their forms of proceeding. The presiding judge was most frequently the mayor or chief magistrate of the town in which the court was placed, sometimes aided by a recorder, or steward, but not unfrequently totally without legal assistance. Although many of these courts had fallen into total disuse, we know of more than eighty that were in very considerable activity prior to 1827. We are prepared to admit every evil fairly attributable to the various judicatories we have enumerated, such as occasional injustice, erroneous decisions, partiality, and the like—all consequences of their more or less vicious organization; but where is the diversity of law they have introduced into our jurisprudence, imperfectly as in their case the mischief was guarded against? Can such an evil be anticipated from new tribunals, when every means is resorted to to prevent it, by attention paid to their constitution and procedure, to the selection of the judges, and to the effective arrangement of the machinery of appeals?

Another objection to local judicature, is the degrading effect it would produce upon the legal profession; at least, such is the allegation. Upon the attorney, we contend, it would have a totally different effect. To render him the medium for conducting legal contests on the fair merits of the case, instead of letting him remain the instrument for perverting the course of justice by technical subtleties, as he too frequently is at present, would rather tend to elevate than depress his moral character. The English bar will surely not contend that its high reputation, whether for honour or learning, is sustained by the mischievous state of our judicial establishments, by which the administration of the law is so grievously impeded. In the

debate before alluded to, Lord Lyndhurst objected to Lord Brougham's bill for establishing courts of local jurisdiction in cases under 20*l.*, on the ground that it would lower the respectability of the bar. In the same session, an Act was passed, by which suits for ordinary debts under 20*l.* were in effect taken out of the hands of the bar, and thrown into those of the attorneys. Yet the bar still enjoys its distinguished reputation. Lord Wharnccliffe was afraid that the independence of the bar would be destroyed by the incessant draught from its members to supply judges for the local judicatories. That would depend entirely upon the manner in which such judges were chosen. To a minister, responsible for his acts, might be safely entrusted the selection of such judges, as well as the superintendence of the other branches of the administration of justice in the country, according to the excellent suggestion of Lord Langdale. Plainly stated, the real objection on the part of the bar is, that professional profits would be diminished. We do not deny the possibility of such a consequence of the establishment of local judicature; though we are more inclined to think that it would be followed by a more equal distribution of business than exists at present. But supposing the former effect to take place, however much we may lament the infliction of such a description of suffering on a whole professional class, it affords no argument against a change promising great advantage to the public. The professions exist for the many—not the many for the professions. The selfishness of the man cannot be too much condemned, who contends that vaccination should not have been introduced, because it diminished the income of the physician.

Our limits prevent our entering at length upon the expense to which a judicial system of the kind we have advocated would put the country. We are satisfied, however, that the whole establishment would not cost more than 150,000*l.* per annum. For 128,000*l.* a year, two appellate judges might receive 2,500*l.* per annum each; sixty local judges, 800*l.* a year each; one hundred and fifty registrars, 250*l.* a year each; the same number of clerks, 100*l.* a year each; and three hundred messengers, 75*l.* a year each. A considerable surplus would then be left for the extra travelling expenses of the local judges, registrars, &c. We are also satisfied that a



considerable portion, if not the whole of the sum mentioned, would be raised by the penalties imposed upon fraudulent or vexatious litigants. But, suppose a deficiency—we can see no objection to its being made good by the public. The end to be obtained, is cheap and speedy justice for all classes of the community, and this end is well worth the annual expenditure of a few thousand pounds of public money.

#### ARTICLE VI.

*Russia.* By a MANCHESTER MANUFACTURER, Author of *England, Ireland, and America.* William Tait, Edinburgh.

*The People of Russia, and the Policy of England.* Ridgway, London: 1836.

A few years only have elapsed since the policy and designs of Russia excited but little attention in this country. Her intrigues in Greece and Turkey, her aggressive proceedings against Persia, and her general progress in the East, seemed to be events placed beyond the pale of European interests. Even the last partition of Poland, it was said, created less sensation in England than a Westminster election. But when the efforts of that gallant nation to maintain its independence were published throughout Europe—when, in the lapse of time, its wrongs were fully understood, and the patriotism and devotion of its people were made known, a lively sympathy was excited in the British public—the Polish patriot and soldier was pointed to as an example worthy of imitation, and a corresponding feeling of indignation against his Muscovite oppressors, took deep root in the national mind. In later times this sympathy has been in some degree superseded by a regard for our material interests. The treaties of Unkiar Skelessi and St. Petersburg—the protracted occupation of Silistria—the positions taken up at the mouth of the Danube, and the incorporation of the kingdom of Poland, have, partially at least, drawn aside the veil which shrouded the systematic march of Muscovite ambition. A searching inquiry into the actual

position, the resources, and designs of Russia has been the result.

From that inquiry we have learnt—it would almost seem for the first time—that a power, which under Peter the Great was emphatically Asiatic, “has made acquisitions from Sweden greater than what remains of that ancient kingdom; that her acquisitions from Poland are as large as the whole Austrian empire; that the territory she has wrested from Turkey in Europe is equal to the dominions of Prussia, exclusive of her Rhenish provinces; and that her acquisitions from Turkey in Asia, are equal in extent to all the smaller states of Germany, the Rhenish provinces of Prussia, Belgium, and Holland, taken together; that the country she has conquered from Persia is about the size of England; that her acquisitions in Tartary have an area equal to Turkey in Europe, Greece, Italy, and Spain; *and that the territory she has acquired within the last sixty-four years (since 1772), is greater in extent and importance than the whole empire she had in Europe before that time\*.*”

That inquiry has also taught us, “that Russia cannot stop in her career of aggressive encroachments. She must go on. The fifty millions who obey the nod of the autocrat, must be occupied by some general aim and tendency. They cannot be interested in the great object of internal social improvements. They must be recompensed, therefore, for the loss of their freedom, by the excitements of foreign conquest, the lust of spoil, and the hope of dominion. In Russia the Temple of Janus never shuts, she is always at war somewhere†.”

Hence has originated the feeling which Mr. Cobden (the author of the pamphlet we have placed at the head of this article), and writers and speakers of his calibre have been pleased to call *Russo-phobia*. Hence have thinking men of all parties been induced to look at the designs of the Russian cabinet—not with “fear”—as a nation we know not the mean-

---

\* See *Progress of Russia in the East*,—the most able work which has appeared on this subject.

† Speech of Prince Czartoryski, at the Literary Association of the Friends of Poland, 26th April, 1836.

ing of the word—but with that suspicion and distrust, which a disregard of international treaties, and of those moral and social obligations, that in a greater or less degree controul the governments of other countries—a subtle barbarism, and a more than puny faithlessness—could not fail to produce.

Under these circumstances—“Russia, by a Manchester Manufacturer”—a pamphlet of fifty goodly pages, published for eight-pence—ushered into the world in the very type and livery of a monthly publication, professing almost republican principles, and placarded and advertised with a lavish expenditure totally disproportioned to its expense, in every town, village, and hamlet of the kingdom\*, could not fail to attract the attention of “Russo-phobists.” We accordingly opened Mr. Cobden’s pamphlet with no small degree of interest. We had pictured to ourselves our “Manchester Manufacturer” as a wealthy British merchant, who had “An argosy bound to Tripolis; another to the Indies:—” “A third at Mexico, a fourth for England:”—and who, anxious to indulge the natural tendency of an enlightened philanthropy and a munificent disposition, had adopted these means to assert the great principles of civil and commercial freedom.

Some dark shadows had indeed been thrown into this picture, by a report which reached us, that the “Manufacturer” was in truth a resident in Manchester, and a member of the Chamber of Commerce in that city: but that the sound of the shuttle, and the click of machinery, had not long been familiar to his ears—that he was a printer of cheap calicos, and an exporter of cotton twist to Petersburg†, who having paid a visit to America, published upon his return from the United States, a pamphlet, addressed to the commercial prejudices

\* We have even seen it advertised in the Island of Jersey.

† Russia imported from England, in 1832, cottons, to the value of 1,259,964*l.*, of which 1,136,787*l.* were for twist, which she is not yet able to do without, leaving 123,177*l.* for cotton stuffs,—so large a proportion of our former trade with Russia. Turkey, the same year, imported cottons, to the value of 778,422*l.*, of which, 88,759*l.* were for yarn, leaving for stuffs, 689,663*l.* (Egypt and Barbary included); since then, the exportations to Russia are decreasing, and those to Turkey increasing.—“Turkish Oil and Russian Tallow,” p. 25. (Reprinted from *The Portfolio*, Nos. XI. and XII.)

of a manufacturing district, with a view to his return to Parliament, on the *Russian interest*.

We soon, however, discovered that both rumour and our own imagination had deceived us. We had not perused many pages before certain familiar sentiments caught our attention. The "magnanimity of the Emperor," became dimly shadowed out—the power, the liberality, and the justice of the Russian government, grew, as it were, into a palpable shape, under the graphic pen of our manufacturer—the false, but subtle and polished periods of the Muscovite *chancellerie*, lent a meaning to the page, and began to show on the home-made stuff of our author, "like lumps of marl on a barren moor, encumbering what it is not in their power to fertilize."—And when we closed this work, and found that amidst all its contradictions—the necessity of bepraising the Muscovite government was never for an instant lost sight of, and that in no less than seven places, we believe, the author denies being a Russian partisan, we felt satisfied that we knew our Russo-laureate—we no longer doubted that *Russia*—"Carbonaro in Italy, and Absolutist in Spain"—stood before us, a "Manchester Manufacturer" in the North of England.

After an arrogant ebullition against those who presume to doubt the disinterestedness of Russia, our author begs to place the question in its "true light." This is easily done;—and we are informed, with little periphrasis, that the civilization and happiness of the Turkish populations, the commercial interests of England, and the necessity of maintaining "order" in Europe, require that Constantinople should belong to Russia.

We do not know how far this proposition will meet with the approbation of our Foreign Secretary, but to enable our readers to form some idea of the extent to which Russia would encourage the principles of free trade, were she in possession of this much-coveted prize, we beg leave to subjoin an extract from her tariff; and at the same time to call to the

---

• EXTRACT FROM THE RUSSIAN TARIFF.

Attire—ladies' hair-dress, as caps, bonnets, toques, and other similar ornaments . . . prohibited.

VOL. III.—N<sup>o</sup> VI.

Bags—working, or ladies' bags prohibited.  
" linen bags of all sorts, by land prohibited.

G C

recollection of our readers, the attempt recently made by that power—in defiance of the express provisions of the

Baskets—wicker, straw, and all other sorts . . . . .	<i>prohibited.</i>	Cages—bird, of all sorts, empty . . . . .	<i>prohibited.</i>
Berries—artificial, threaded on strings . . . . .	<i>prohibited.</i>	Candles—tallow, spermaceti, and wax . . . . .	<i>prohibited.</i>
“ “ mounted . . . . .	<i>prohibited.</i>	Caps—woven, not denominated . . . . .	<i>prohibited.</i>
“ “ worked . . . . .	<i>prohibited.</i>	Carcases for works of modes—iron wire, covered with cotton, silk, or thread . . . . .	<i>prohibited.</i>
Blacking for boots and shoes . . . . .	<i>prohibited.</i>	Cases—pipe, made round, or of gold, leather, tresses, and all other sorts . . . . .	<i>prohibited.</i>
Blankets and rugs, sewn, of all sorts . . . . .	<i>prohibited.</i>	Castoreum . . . . .	<i>prohibited.</i>
Bones of animals, scraped . . . . .	<i>prohibited.</i>	Chandeliers of all sorts . . . . .	<i>prohibited.</i>
“ “ worked . . . . .	<i>prohibited.</i>	Chimes—in seals, snuff-boxes, and other articles . . . . .	<i>prohibited.</i>
Books, in white and coloured paper, or albums . . . . .	<i>prohibited.</i>	Chocolate of all sorts . . . . .	<i>prohibited.</i>
“ in white paper, and bound, or other sorts, for the use of commercial people . . . . .	<i>prohibited.</i>	Clasps of stoves . . . . .	<i>prohibited.</i>
Boots and shoes, and all kinds of works in bootmaking . . . . .	<i>prohibited.</i>	Clocks and watches, with metallic ornaments, in marble, alabaster, or others . . . . .	<i>prohibited.</i>
Borax—purified and refined . . . . .	<i>prohibited.</i>	“ “ in pinchbeck, brass, and gilded, and plated . . . . .	<i>prohibited.</i>
Boxes and chests of all kinds, also ladies' furnished work boxes . . . . .	<i>prohibited.</i>	“ gilded plates, with the watches, or separate . . . . .	<i>prohibited.</i>
Braces of all sorts . . . . .	<i>prohibited.</i>	Cocks for draught—all sorts . . . . .	<i>prohibited.</i>
Bran . . . . .	<i>prohibited.</i>	Cocoa, broken and in parts . . . . .	<i>prohibited.</i>
Bread, biscuits, and cracknells . . . . .	<i>prohibited.</i>	Coffee—substitutes for, as roots, grain, and other rooted substances . . . . .	<i>prohibited.</i>
“ Gingerbread, of all sorts . . . . .	<i>prohibited.</i>	Colours—imported in wooden boxes, with ornaments, also in tin boxes, papier mâché, and others . . . . .	<i>prohibited.</i>
Bronze—works in, or in all other mixed metals, gilded or not gilded, as statues, busts, basso-relievos, groups, vases, urns, chandeliers, lustres, and all other articles of that description . . . . .	<i>prohibited.</i>	Copperas—purified . . . . .	<i>prohibited.</i>
Brooms, made of herbs, or of the branches of trees . . . . .	<i>prohibited.</i>	Coral—mounted in all sorts of works and grounds . . . . .	<i>prohibited.</i>
Brushes, of bristles . . . . .	<i>prohibited.</i>	“ artificial, mounted, and in all sorts of work . . . . .	<i>prohibited.</i>
“ shaving-brushes, mounted in gold, silver, bronze, and other such ornaments . . . . .	<i>prohibited.</i>	Cordage, cables, and packthread, of all sorts; of hemp, tarred or untarred . . . . .	<i>prohibited.</i>
Butter—by land and by sea . . . . .	<i>prohibited.</i>	“ tow . . . . .	<i>prohibited.</i>
Buttons for coats and for waistcoats, metallic, shell, ivory, thread, silk, cotton, and all other sorts of buttons . . . . .	<i>prohibited.</i>	Corn—pearl barley, and all sorts of meal called manna . . . . .	<i>prohibited.</i>

treaty of Vienna—to close the mouths of the Danube against our merchant ships; an attempt which was defeated only by

Cotton wicks, of cotton or half cotton, and hemp or flax . . . *prohibited.*

*Cottons*—handkerchiefs of half cotton, mixed with flax or hemp . . . *prohibited.*

„ stuffs, and other manufactures of cotton and half cotton, and hemp or flax, embroidered with white designs, dyed with the same colour, and nankeens of all sorts . . . *prohibited.*

“ all sorts of cotton stuffs and articles of cotton and cotton, with hemp or flax, printed, the fabric of the Indies and of Europe, calico or Indian cotton, and other similar articles not separately enumerated . . . *prohibited.*

“ ditto, ditto, striped, plain, speckled, and with designs, borders, and all sorts of coloured embroidery, except shawls and handkerchiefs, which are separately enumerated *prohibited.*

“ ditto, ditto, with real or artificial gold or silver, not separately enumerated . . . *prohibited.*

“ ditto, ditto, folded or doubled . . . *prohibited.*

“ handkerchiefs and shawls of cotton, mixed with flax, or hemp, or printed . . . *prohibited.*

“ borders and centres of handkerchiefs, printed

“ all tissues not separately enumerated, with fine and artificial gold and silver . . . *prohibited.*

*Crystal*—rock, mounted . . . *prohibited.*

*Curtains*, and such furniture, of all sorts . . . *prohibited.*

*Decorations*, and crosses of honour, of all sorts . . . *prohibited.*

*Diamonds* and brilliants—mounted . . . *prohibited.*

*Dolls* of all sorts . . . *prohibited.*

Down—of all sorts, and birds . . . *prohibited.*

Écume de mer—worked and mounted . . . *prohibited.*

Embroidery and needlework, of all sorts, in gold, silver, silk, cotton, and other matters . . . *prohibited.*

Emery in powder . . . *prohibited.*

Enamel—works in . . . *prohibited.*

Engravings—framed . . . *prohibited.*

Eyes—pilés . . . *prohibited.*

Felt of rough woollen fleece, and cloaks of felt . . . *prohibited.*

Flax—wicks of flax thread *prohibited.*

Flax bleached linen, dyed, printed, plaited, checked, striped, tissue, knitted, and embroidered . . . *prohibited.*

“ sail-cloth—Flemish and Ravens-ducks . . . *prohibited.*

“ linen-cloth made of flax, or half flax, waxed and glazed . . . *prohibited.*

“ table-cloths, napkins, and towels of flax, white or coloured, also in tissues mixed with cotton or silk . . . *prohibited.*

“ tapes and packthreads of flax . . . *prohibited.*

“ thread buttons for shirts, and other linen . . . *prohibited.*

“ thread stockings, nightcaps, and gloves, of flax or hemp—fishing nets . . . *prohibited.*

“ linen of all sorts, cut or hemmed, or sewed, except that belonging to travellers or passengers . . . *prohibited.*

Frames for looking-glasses, pictures, and all other sorts without exception . . . *prohibited.*

Fringes of gold and silver, fine and artificial, of silk, cotton, wool, thread; also half silk, and all other sorts . . . *prohibited.*

Galvons of fine and artificial gold and silver . . . *prohibited.*

the spirited remonstrance addressed by Messrs. Bell and Co., the owners of some of the vessels, to the government, and the decisive language of Lord Palmerston.

Garnets—natural and artificial, in all sorts of works, and mounted <i>prohibited.</i>	Ivory—worked, of all sorts <i>prohibited.</i>
Ginger—ground and rasped <i>prohibited.</i>	Ivory—burned or calcined <i>prohibited.</i>
Glass—worked and mounted <i>prohibited.</i>	Lace—of real and artificial gold and silver . . . <i>prohibited.</i>
Glass and crystal ware—viz. vitrified in masses, or in tubes for cutting <i>prohibited.</i>	Lanterns—of all sorts . <i>prohibited.</i>
Glass and crystal—the same mounted and worked . <i>prohibited.</i>	Lapis Lazuli—mounted <i>prohibited.</i>
“ window-glass, utensils and glass, and works . <i>prohibited.</i>	Leather for boot and shoe-making <i>prohibited.</i>
Gloves—chamois, silk, cotton, &c. <i>prohibited.</i>	“ reins for horse bits or bridles <i>prohibited.</i>
Haberdashery—viz. twist, edging for lace, and packthread in cotton-wool, and mixed with these matters <i>prohibited.</i>	“ and skins of all sorts, worked <i>prohibited.</i>
Hair—worked of all sorts <i>prohibited.</i>	Links of all sorts . <i>prohibited.</i>
Harness of all sorts . <i>prohibited.</i>	Looking-glasses of all sorts <i>prohibited.</i>
Hats or bonnets—felt, fine and common . . . <i>prohibited.</i>	Lustres of all sorts . <i>prohibited.</i>
“ “ leather and varnished silk, and all other sorts not separately enumerated <i>prohibited.</i>	Marcaroni . . . <i>prohibited.</i>
“ “ wood (chip) and those called “ paille de riz” <i>prohibited.</i>	Malachites—mounted . <i>prohibited.</i>
Hides—prepared of all sorts <i>prohibited.</i>	Marble, worked with bronze, and other ornaments . <i>prohibited.</i>
“ salted, not prepared <i>prohibited.</i>	Mascasite stone—in brass and mounted . . . <i>prohibited.</i>
Honey . . . <i>prohibited.</i>	Masks of all sorts . <i>prohibited.</i>
Hooks—fishing of all sorts <i>prohibited.</i>	Matches for ignition . <i>prohibited.</i>
Horns and hoofs—works of all sorts not denominated <i>prohibited.</i>	Mattresses and pillows, feather and down . <i>prohibited.</i>
Horse-cloths of all sorts . <i>prohibited.</i>	Mattresses—horn-hair and wool <i>prohibited.</i>
Horse-tails—prepared . <i>prohibited.</i>	Medicine-Chests—portable, containing remedies for domestic use <i>prohibited.</i>
Indigo—in powder . <i>prohibited.</i>	Metals—worked of all sorts <i>prohibited.</i>
Ink of all sorts, excepting printing ink . . . <i>prohibited.</i>	“ drawn gold, gold wire, blades, spangles, and all plated works <i>prohibited.</i>
Isinglass—transparent . <i>prohibited.</i>	“ platina, worked . <i>prohibited.</i>
Ivory—filed . . . <i>prohibited.</i>	“ silver worked of all sorts, not otherwise enumerated
	“ drawn silver, silver wire, flattened silver, and all sorts of plated works . . . <i>prohibited.</i>
	“ copper, table utensils, and all kinds of copper works, not enumerated . <i>prohibited.</i>
	“ brass, old, broken in bars and rolled sheets . <i>prohibited.</i>

Mr. Cobden, in advocating the possession of Constantinople by Russia, says—

“ We may fairly assume that, were Russia to *seize* upon the capital of Turkey, the consequences would not at least be less favourable to humanity and civiliza-

Metal works, of all sorts, except those denominated with “instruments” . . . *prohibited.*

“ iron, cast in sows or pigs, and broken, by sea . . . *prohibited.*

“ works in cast iron, by sea . . . *prohibited.*

“ forged in bars and rods, by sea . . . *prohibited.*

“ “ in plates and squares, by sea . . . *prohibited.*

“ works forged, viz., all sorts of utensils, and of works which are forged, without being filed or polished, as anchors, nails, and other such articles; also iron in sheets, and all sorts of works made of those sheets, by sea . . . *prohibited.*

“ knives, forks, pincers, snuffers, locks, and padlocks *prohibited.*

“ sword blades, sabre and poniard blades, inlaid or not, with gold and silver, razors and penknives, with ivory, tortoise-shell, mother-o'-pearl handles, and mounted in gold and silver, or without; also guns, pistols, and other fire arms not denominated, with or without decoration, or chasing in gold, silver, brass, and iron . . . *prohibited.*

“ knives and forks, with plated or gilded handles . . . *prohibited.*

“ steel trinkets . . . *prohibited.*

“ works, in iron and steel, tinned . . . *prohibited.*

“ works of all sorts, in iron and steel wire . . . *prohibited.*

“ pewter works of all sorts . . . *prohibited.*

“ lead, worked, viz., balls, small shot, sheets, &c. . . *prohibited.*

Metal metallic mixture of metals, as pinchbeck and others, in mass, ingots, or leaves, and worked . . . *prohibited.*

Mills—coffee and pepper *prohibited.*

Mirrors and looking-glasses . . . *prohibited.*

Monies—bullion, viz., the berlinski, azelferi, ditki, half florins, and double florins of Poland. (To this item is assimilated the Turkish paras) . . . *prohibited.*

“ Foreign coin of all sorts, of de-based value . . . *prohibited.*

Mosaic—mounted . . . *prohibited.*

Mother-o'-pearl—worked or mounted . . . *prohibited.*

Mushrooms dry—not included with medical drugs . . . *prohibited.*

Musk . . . *prohibited.*

Mustard flour . . . *prohibited.*

NOTES OR ASSIGNATS OF THE BANK OF RUSSIA *prohibited.*

“ “ of the Bank of Finland . . . *prohibited.*

Oil—hempseed and linseed oil . . . *prohibited.*

“ rapeseed . . . *prohibited.*

“ prepared oil for burning . . . *prohibited.*

“ aromatic oil of all sorts, in polished and cut flasks, also in gold and silver, with the corks and covers metallic, and in general with ornaments . . . *prohibited.*

Opiate of all sorts (a paste for the teeth) . . . *prohibited.*

Paper—all sheets of paper, called cartebanches, policies, bills of lading, or cognizances, engraved and destined for such usages . . . *prohibited.*



tion than those which succeeded to her conquests on the Gulf of Finland a century ago. The seraglio of the Sultan would be once more converted into the palace of a Christian monarch; *the lasciviousness of the harem would disappear at the presence of his Christian empress; those walls which now resound only to the*

**Paper**—all sorts (except royal paper for designing, paper for use of printing-offices, and polished pasteboard, like slates, coloured, plated, and gilded; transparent for tracing and playing cards, on all of which specific duties are charged)

*prohibited.*

**Paste**—almond . . . *prohibited.*

**Pearls**—worked of all sorts, and mounted . . . *prohibited.*

“ false, worked and mounted . . . *prohibited.*

**Pens** . . . *prohibited.*

**Pepper**—white and black, pounded . . . *prohibited.*

**Pimento**—ground . . . *prohibited.*

**Pins and needles of all sorts** *prohibited.*

**Pipes**—mounted . . . *prohibited.*

“ Facinre, Porcelain, Meerchaum . . . *prohibited.*

**Pottery** . . . *prohibited.*

**Powder**—odoriferous . . . *prohibited.*

“ gunpowder . . . *prohibited.*

**Precious stones**—mounted *prohibited.*

**Preserved fruit** in syrup, or stewed, cherries baked and not sweetened, dry preserves, or sweetmeats of all sorts, sugar plums, peels, roots, &c. . . *prohibited.*

**Quills** . . . *prohibited.*

**Ribbons**—cotton, thread, woollen, and mixed . . . *prohibited.*

**Saddlery** . . . *prohibited.*

**Saltpetre**—refined . . . *prohibited.*

**Serpentine stones**—with ornaments . . . *prohibited.*

**Silk manufactures**—stuffs, not transparent, of silk, and silk mixed with wool, speckled with coloured designs, tissue woven and embroidered, printed, with lining or gummed, tissue or knitted with straw, and the like matters, tissue or

knitted with gold and silver, fine and false . . . *prohibited.*

**Silk**—shawls and handkerchiefs of silk, or mixed with other materials, printed . . . *prohibited.*

“ handkerchiefs of all sorts not transparent of silk, and mixed goods . . . *prohibited.*

“ ribbons not transparent, lined or gummed, and printed . . . *prohibited.*

“ ribbons and scarfs, of honorary orders . . . *prohibited.*

“ silk, tablecloths, napkins, towels, and silk, mixed with wool, cotton, &c. . . *prohibited.*

**Silver**—plated . . . *prohibited.*

**Skins**—beavers, otter, martin, sable, sea-cats, sea-dogs, wolves, sea-calves, and all others, without exception . . . *prohibited.*

“ or furs, worked of all sorts, into bags, tippets, &c. &c. . . *prohibited.*

**Snuff-boxes** of all sorts . . . *prohibited.*

**Spirits**—shrub . . . *prohibited.*

“ liqueurs—except those classed with medicinal drugs . . . *prohibited.*

“ Kirschwasser—brandy, geneva . . . *prohibited.*

“ fermented, mead, and cherry wine . . . *prohibited.*

**Starch**—white, and white mixed with indigo, Prussian blue, smalt, and other colours, composing blue mixed starch *prohibited.*

**Stockings and gaiters**, of chamois leather . . . *prohibited.*

**Succory** of all sorts . . . *prohibited.*

**Sugar**—refined, lumps, and sugar candy, in loaves, pieces, or

crashed . . . *prohibited.*

**Table utensils**—delft ware, with gold and silver, painted with borders and basso-relievos of

voice of the eunuch and the slave, and witness nothing but deeds of guilt and dishonour, would then echo the footsteps of travellers and the voices of men of learning, or behold the assemblage of high-souled and beautiful women, of exalted birth and rare accomplishments, the virtuous companions of ambassadors, tourists, and merchants, from all the capitals of Europe. We may fairly and reasonably assume that such consequences would follow the conquest of Constantinople: and can any one doubt, that, if the government of St. Petersburg were transferred to the shores of the Bosphorus, a splendid and substantial European city would, in less than twenty years, spring up, in the place of those huts which now constitute the capital of Turkey? That noble public buildings would arise, learned societies flourish, and the arts prosper?—that, from its natural beauties and advantages, Constantinople would become an attractive resort for civilized Europeans?—that the Christian religion, operating instantly upon the laws and institutions of the country, would ameliorate the condition of its people?—that the slave market, which is now polluting the Ottoman capital, centuries after the odious traffic had been banished from the soil of Christian Europe, would be abolished?—that the demoralizing and unnatural law of polygamy, under which the fairest portion of the creation becomes an object of brutal lust and an article of daily traffic, would be discountenanced?"

We confess we are sceptical enough—even at the hazard of being deemed irrational by our author—to doubt whether all these changes would follow the occupation of Constantinople by Russia; and when Mr. Cobden tells us that the "lasci-

divers colours; painted and glazed of all sorts	<i>prohibited.</i>	Vinegar of beer	<i>prohibited.</i>
Table utensils—porcelain of all sorts	<i>prohibited.</i>	Wadding of all sorts	<i>prohibited.</i>
" potters' earth	<i>prohibited.</i>	Wafers	<i>prohibited.</i>
" " wood	<i>prohibited.</i>	Water—odoriferous	<i>prohibited.</i>
Tallow	<i>prohibited.</i>	Wax—bees'-wax	<i>prohibited.</i>
Tapestry	<i>prohibited.</i>	" sealing-wax	<i>prohibited.</i>
Tea, by sea	<i>prohibited.</i>	Weights and scales (except for medical uses)	<i>prohibited.</i>
Tea-boards	<i>prohibited.</i>	Wood—exotic, worked	<i>prohibited.</i>
Teeth—fishes, rasped and prepared	<i>prohibited.</i>	" works in carpentry of all kinds	<i>prohibited.</i>
Tin—lacquered or varnished	<i>prohibited.</i>	" " in joinery	<i>prohibited.</i>
" worked of all sorts	<i>prohibited.</i>	" " in turnery	<i>prohibited.</i>
Tooth-picks of all sorts	<i>prohibited.</i>	" sculpture and engraving in wood	<i>prohibited.</i>
Torches—resinous	<i>prohibited.</i>	Woollens—tissues of silver dust colour, or of a colour deeper than sap green	<i>prohibited.</i>
Tortoise-shell, worked and mounted	<i>prohibited.</i>	" draperies of all kinds, printed	<i>prohibited.</i>
Toys, for children	<i>prohibited.</i>	" cassimeres of all kinds, printed	<i>prohibited.</i>
Trinkets—gold and silver, with or without precious stones and pearls	<i>prohibited.</i>	" carpets, with sewn borders, or printed	<i>prohibited.</i>
Vermicelli	<i>prohibited.</i>		

"viciousness of the harem would disappear at the appearance of a Christian Empress," we are inclined seriously to ask, whether he ever heard of an Empress called Catharine II., or that

"—In such matters Russia's mighty Empress  
"Behaved no better than a common Sempstress\*."

We presume not: and we therefore subjoin a statement of the sums of money lavished by Catharine on her favourites, or rather, which she permitted them to wrest in various ways from the poor serfs, her subjects.

	Rubla.
The five Brothers Orlof received in lands, palaces, jewels, plate, and money.....	17,000 000
Vissensky, two months in favour .....	300,000
Vassilschikof, 22 months in favour .....	1,110,000
Prince Potemkin, a fortune estimated at .....	50,000,000
Zavodofsky, 18 months a favourite.....	1,380,000
Zoritch, one year.....	1,420,000
Korzakof, 16 months .....	920,000
Lanskoi, about four years .....	3,260,000
Yermolof, 16 months .....	550,000
Momonof, 26 months .....	880,000
Plato Zoubof, in place at the death of the Empress ....	2,700,000
Valerian Zoubof, <i>his Brother</i> .....	800,000
Further, an annual sum of 250,000 roubles for the expenses of the favourite, which, for a term of 34 years, makes .....	8,500,000
Sum total	<u>88,820,000</u>

To each estate were attached thousands of peasants and their families. It is generally computed that of these were given

To the family of Orlof .....	45,000
To Vassilschikof .....	7,000
To Zavodofsky.....	9,800
To Korzakof .....	4,000
To Yermolof .....	3,000
†Total of Serfs	<u>68,800</u>

Is this a prototype of the "Christian Empress," who, according to Mr. Cobden, is to attract to her Court "high-souled" and beautiful women, of exalted birth and rare accomplish-

\* Lord Byron.

† Russian History.

“ments, the virtuous companions of ambassadors, tourists, ~~and~~ merchants, from all the capitals of Europe?” Or, did the palace of the Sultan ever witness a deed of guilt and dishonour more foul than this?

“After he” (Peter III.) “had been at Ropscha six days, without the knowledge of any persons besides the chiefs of the conspirators, and the soldiers by whom he was guarded, Alexius Orlof, accompanied by Teplof, came to him with the news of his speedy deliverance, and asked permission to dine with him. While the officer amused the czar with some trifling discourse, his chief filled the wine-glasses, which are usually brought in the northern countries before dinner, and poured a poisonous mixture into that which he intended for the prince. The czar, without distrust, swallowed the potion; on which he was seized with the most excruciating pains; and on his being offered a second glass, on pretence of its giving him relief, he refused it, with reproaches on him that offered it. Being pressed to take another glass, when he called for milk, a French valet de chambre who was greatly attached to him, ran in; and throwing himself into his arms, he said, in a faint tone of voice, ‘It was not enough then to prevent me from reigning in Sweden, and to deprive me of the crown of Russia! I must also be put to death.’ The valet de chambre interceded in his behalf; but the two miscreants forced him out of the room, and continued their ill treatment of him. In the midst of the tumult, the younger of the princes Baratsinsky, who commanded the guard, entered; Orlof, who, in a struggle had thrown down the emperor, was pressing upon his breast with both his knees, and firmly griping his throat with his hand. In this situation the two other assassins threw a napkin with a running knot round his neck, and put an end to his life by suffocation, July 17th, just one week after the revolution. These particulars are confirmed by the account of one who was in the confidence of Prince Potemkin, who is erroneously said to have been present on the occasion\*.”

Nobody, we believe, has attempted to place the social and political attributes of Turkey on a par with those of the more civilized communities of Europe; but we question her inferiority to Russia. It is true that Turkey possesses no representative legislature—would Russia give her one? It is true that Turkey *does* possess municipalities which may at some future day be made the basis of free governmental institutions. Would Russia permit those municipalities to exist, and the Turks to proceed with their internal reforms?—Let the “Organic Statute” of Poland and the “Warsaw Speech” answer.

But Mr. Cobden pathetically laments the ignorance which prevails with reference to the comparative importance of our

---

\* Russian History.

trade to these rival countries ; and having carefully looked into Mr. M'Culloch's Commercial Dictionary, for the words "Russia" and "Turkey," he presents us with the following results of his researches :—

Exports to Russia.		Exports to Turkey.	
A.D.	£.	A.D.	£.
1700,.....	60,000	1700,.....	220,000
1750,.....	100,000	1750,.....	135,000
1790,.....	400,000	1790,.....	120,000
1800,.....	1,300,000	1800,.....	165,000
1820,.....	2,300,000	1820,.....	800,000

Why did Mr. Cobden pause in his interesting inquiries at the year 1820 ? We are now in the year 1836. Why did he not tell us the condition of this trade during the intervening time ? He would scarcely regulate his own dealings at the present day, by the state of the market in 1820, and it is too much to ask his readers to base their opinions now, upon a state of things which existed sixteen years ago. We have carried our inquiries down to a later period, and the following table will in some degree, we hope, supply the *hiatus* left by Mr. Cobden.

**COMPARATIVE STATEMENT of the TRADE OF ENGLAND with RUSSIA AND TURKEY, in the Years 1827 and 1834, compiled from Official Returns.**

EXPORTS TO RUSSIA.										EXPORTS TO TURKEY.									
1827.			1834.			Decreased.		Increased.		1827.			1834.			Decreased.		Increased.	
Quantity	Value.		Quantity	£.		Quantity	£.	Quantity	£.	Quantity	£.		Quantity	£.		Quantity	£.	Quantity	£.
4,268,509	155,832	1,739,836	66,546	2,458,679	80,396	0	0	0	0	11,560,172	364,108	28,631,490	888,945	0	0	0	17,061,318	464,137	0
...	23,704	...	4,219	...	19,498	0	0	0	0	...	570	...	3,546	0	0	0	...	2,976	0
234,456	2,888	80,139	1,037	154,318	1,849	0	0	0	0	403,000	2,640	455,963	6,974	0	0	0	52,932	3,634	0
...	3,156	...	1,494	...	1,739	0	0	0	0	...	938	...	1,291	0	0	0	...	243	0
42,049	108,978	31,998	100,164	10,773	8,114	0	0	0	0	1,458	5,348	8,764	29,779	0	0	0	7,308	90,437	0
196,475	15,549	38,503	4,633	157,973	10,916	0	0	0	0	13,610	1,249	36,784	3,076	0	0	0	22,184	1,867	0
...	4,503	...	606	...	3,637	0	0	0	0	...	161	...	484	0	0	0	...	1,333	0
...	1,255	...	1,975	...	1,171	0	0	0	0	...	2,708	...	4,348	0	0	0	...	1,640	0
1,253	2,446	1,192	1,180	131	75	0	0	0	0	...	1	1,348	1,500	0	0	0	1,347	1,608	0
8	77	1	6	7	71	0	0	0	0	85	175	71	586	0	0	0	33	41	0
1,851	33,014	1,928	20,591	593	12,423	0	0	0	0	37	714	46	755	0	0	0	7	37	0
...	380	...	...	...	287	0	0	0	0	...	106	...	133	0	0	0	...	30	0
...	180	...	31	...	89	0	0	0	0	...	0	...	30	0	0	0	...	97	0
...	1,719	...	651	...	1,068	0	0	0	0	...	5,811	...	9,467	0	0	0	...	3,656	0
8,698	31,778	1,038	3,768	7,066	28,010	0	0	0	0	5,655	22,030	1,804	6,363	3,851	15,637	0	...	1,278	0
...	530	...	8,512	...	...	0	0	0	0	...	92	...	1,370	0	0	0	...	4,649	0
3,689	19,470	4,047	26,637	0	0	0	0	0	0	598	3,920	1,170	8,920	0	0	0	578	38,356	0
...	2,700	614	7,689	0	0	0	0	0	0	2,466	21,497	7,407	53,833	0	0	0	4,921	40,410	0
1,548	173	3,010	279	0	0	0	0	0	0	2,134	9,135	42,534	2,135	0	0	0	95	70,878	0
4,424	11,001	5,504	15,047	0	0	0	0	0	0	16,893	41,801	42,776	111,539	0	0	0	95	883	0
...	853,904	16,941,363	1,037,532	104,329	104,329	0	0	0	0	647,164	39,034	1,969,651	102,738	0	0	0	1,942,797	70,141	0
...	56,915	...	81,463	0	0	0	0	0	0	...	18,451	...	36,584	0	0	0	...	10,373	0
TOTAL OF BRITISH PRODUCE	1,408,970	1,382,300	178,330	151,710	151,710	...	...	...	...	...	531,704	...	1,207,941	...	...	...	...	681,904	...

\* See Appendix to Lord DUDLEY STUART'S Speech in the House of Commons, 19th February, 1836—BROADWAY, 1836.

By this table, it appears that our exports to Russia had fallen off from 2,300,000*l.* in 1820, (Mr. Cobden's vanishing point) to 1,382,300*l.* in 1834—showing a *decrease* of 917,700*l.* Whereas our exports to Turkey, which amounted to 800,000*l.* in 1820, reached the sum of 1,207,941*l.* in 1834—showing an *increase* of 407,941*l.* In addition to these facts—

"Turkey is a country having three thousand miles of coast still remaining, and a territory of five hundred thousand square miles, under the happiest climate, possessed of the richest soil, raising every variety of produce, having unrivalled facilities of transport, abounding in forests and mines, *opening innumerable communications with countries farther to the east, with all which our traffic is carried on in English bottoms*; where labour is cheap, where industry is unshackled, and commerce is free; where our goods command every market, where government and consumers alike desire their introduction\*."

Would Russia allow this state of commerce to continue?—Consult the Russian tariff.

Whether the occupation of Turkey by Russia would be favourable to humanity and civilization, is a question which we shall endeavour to dispose of before we conclude these remarks. But as Mr. Cobden speculates upon the consequences which would ensue, if Russia were "*to seize*" Constantinople, we will, in the first place, attempt to illustrate the meaning of this word in the Muscovite vocabulary. It is now about half a century since it appeared to the cabinet of the Empress Catharine II., that it would be favourable to civilization and humanity, if Russia were "*to seize*" the Crimea, and become possessed of a convenient port on the Black Sea. Russian gold, therefore, was lavished, and Russian intrigue was set in full operation to accomplish this desirable object, till at last it was effected in the following characteristic manner:

"A Turkish pacha had occupied the island of Taman, on the opposite side of the Cimmerian Bosphorus, and the Russians succeeded in persuading Schaghin Geray (the khan of the Crimea) to demand its evacuation. The fierce Turk put the messenger to death, and Russia called loudly for vengeance. The khan, irritated by this barbarous insult, acceded to the proposal of his friends, to entrust to them the punishment of the pacha; and a Russian army entered the Crimea, for the purpose of driving the Ottomans from the opposite island; but when it had penetrated to the coast, it suddenly fell back, occupied the whole peninsula, *seized* (Mr. Cobden's (?) word) by stratagem or force all the strong holds, and, at the point of the bayonet, forced the Imans and the people to take the

---

\* *Turkey and its Resources*, p. 216.

*oath of allegiance to the Empress.* Specious promises of advancement were held out, but the Tartars nevertheless prepared to resist, and Field-Marshal Potemkin, informed of their intention, ordered the principal persons to be put to death. The officer to whom this command was first addressed indignantly refused to execute it; but GENERAL PAUL POTEMKIN, a relation of the Field-Marshal, was a more obsequious instrument, and THIRTY THOUSAND TARTARS, OF EITHER SEX AND EVERY AGE, WERE SLAUGHTERED IN COLD BLOOD. Thus, in the midst of peace, did Russia win the Crimea\*!"

And thus, in the midst of peace, would Russia seize Constantinople. But Mr. Cobden says, that a government which thirsts for the spoil of kingdoms, and does not disdain to rob an individual, would introduce civilization and morality amongst the Turks! Morality and civilization introduced by profligacy, massacre, and the knout!

We now, however, turn, with Mr. Cobden, "from the soil of barbarism and the crescent to a country whose inhabitants participate in the blessings of christianity and European civilization."—We turn to Muscovy.

Russia, according to our author, is a great and extensive empire—but the extent of her territory is a cause of weakness, not a source of strength.—The following extract would almost seem to have been written by a person, who had travelled over the ground which he describes, and we give it as a favourable specimen of the style in which some portions of this pamphlet are written.

"If we pass to northern Russia, we find the Samoiedes, a people enduring nearly six months of perpetual night, and enjoying, in requital, a day of two months; with them, corn is sown, ripened, and reaped, in sixty days. In the governments of Wologda, Archangel, and Olonetz (for even in this almost uninhabitable region man has established his ministerial arrangements and political divisions), the climate is of such a nature that human industry can hardly contend against the elements, and the scanty produce of his labour enables the husbandman scarcely to protract a painful and sometimes precarious existence. Trees disappear on the sterile plains—the plants are stunted—corn withers—the marshy meadows are covered with rushes and mosses—and the whole of vegetable nature proclaims the vicinity of the pole.

"Over these desolate wastes, a traveller might journey five hundred miles, and not encounter one solitary human habitation. The government or province of Orenburg, is larger than the entire kingdom of Prussia, and yet contains only a population of one million souls!

"There are, however, vast districts—as, for example, the whole of Little Russia, and the Ukraine—of fertile territory, equal in richness to any part of Europe; and it has been estimated that Russia contains more than 750,000

---

\* *Progress of Russia in the East*, p. 39.



square miles of land, of a quality not inferior to the best portions of Germany, and upon which a population of two hundred millions of people might find subsistence. *Here, then, is the field upon which the energies of the government and the industry of its subjects should be, for the next century, exclusively devoted; and if the best interests of Russia were understood—or if its government would attain to that actual power which ignorant writers proclaim for it in the possession of boundless wastes and impenetrable forests—she should cease the wars of the sword, and begin the battle with the wilderness, by constructing railroads, building bridges, deepening rivers; by fostering the accumulation of capital, the growth of cities, and the increase of civilization and freedom. These are the only sources of power and wealth in an age of improvement; and until Russia, like America, draws from her plains mountains, and rivers, those resources which can be developed only by patient labour—vain are her boasts of geographical extent. As well might the inhabitants of the United States vaunt of their unexplored possessions west of the Rocky Mountains, or England plume herself upon the desert tracts of New Holland.*—(p. 6.)

Mr. Cobden also informs us, that the same law applies to communities as to physics—in proportion as you condense you strengthen, and as you draw out, you weaken bodies—the way, therefore, to weaken Russia, is to permit her to take possession of Constantinople. No reasoning can be more logical, and no illustration more felicitous. But we have quoted at p. 454, a glowing description of the consequences which would result from the possession of Constantinople by Russia,—how the arts would flourish, how commerce and industry would thrive, and morality and civilization become generally diffused—and we are here told that the “accumulation of capital, the growth of cities, and the increase of civilization and freedom, are the *only* sources of power and wealth in an age of improvement.” Now, assuming for a moment that all Mr. Cobden’s prophecies would be realized, what, we beg to ask, would become of his theory of condensation, as a means of strengthening, and of extension, as a means of weakening states?

Again (at p. 7) we find Mr. Cobden stating, that,

“Much as may with truth be alleged against the lust for aggrandizement with which Russian counsels have been actuated, yet, if we examine, we shall find that it is by the love of improvement—the security given, by laws, to life and property—but, above all, owing to the encouragement afforded to commerce—that this empire has, more than by conquest, been brought forth from her frozen regions to hold the first rank among the nations of Europe.”

And (at p. 9) we are told, that

“If we were to trace, step by step, the opposite careers of aggrandizement, to which we can only thus hastily glance—of England, pursuing the march of improvement within the area of four of her counties, by exploring the recesses

of her mines, by constructing canals, docks, and railroads, by her mechanical inventions, and by the patience and ingenuity of her manufactures in adapting their fabrics to meet the varying wants and tastes of every habitable latitude of the earth's surface; and of Russia, adhering to her policy of territorial conquest, by despoiling of provinces the empires of Turkey, Persia, and Sweden, by subjugating in unwilling bondage the natives of Georgia and Circassia, and by seizing with robber hand the soil of Poland:—if we were to trace these opposite careers of aggrandizement, what should we find to be the relative consequences to these two empires? England, with her steam-engine and spinning frame, has erected the standard of improvement, around which every nation of the world has already prepared to rally; she has, by the magic of her machinery, united for ever two remote hemispheres in the bonds of peace, by placing Europe and America in absolute and inextricable dependence on each other; England's industrious classes, through the energy of their commercial enterprise, are, at this moment, influencing the civilization of the whole world, by stimulating the labour, exciting the curiosity, and promoting the taste for refinement of barbarous communities, and, above all, by acquiring and teaching to surrounding nations, the beneficent attachment to peace. Such are the moral effects of improvement in Britain, against which Russia can oppose comparatively little, but the example of violence, to which humanity points as a beacon to warn society from evil."

Mr. Cobden abounds in these contradictions, and it would exhaust our space, and the patience of our readers, to point out all the inconsistencies which justify, we conceive, the doubt we have expressed of this pamphlet being the production of one person.

Our manufacturer, indeed, would appear to be profoundly ignorant of the state of the country, about which he writes. Has he ever heard that in Russia there are 50 millions of SLAVES by law, and that the remainder of the population are slaves by a will above the law—the will of the Czar? Has he ever heard that each of these 50 millions of serfs may be *bought and sold*, that if one were to fly from the tyranny of his master, that master might claim him as his *property*, and that the person who should give shelter to the fugitive would incur the penalty of a heavy fine? Has he ever heard that this Government, which is to introduce civilization and morality into other states, has invented something more cruel and debasing than even slavery itself, in the establishment of military colonies, where the serfs of the crown are not only slaves themselves, but are trained to become the instruments of inflicting slavery on others? Here men and women are brought together and married by drawing lots, and their progeny, of whatever age or sex, is, like themselves, at the disposal of the Government. Here all the kindlier links which

bind man to man are rudely rent asunder,—paternal affection and filial love are stifled, as feelings opposed to a system, which seeks to root out all the nobler attributes of humanity, and to degrade man to the condition of the brute creation—the “strong muscle and the pliant will” are sedulously cultivated, ignorance is cherished, and knowledge denounced as treasonable to the Emperor. Against these barbarisms, the instinct of manhood, which cannot be wholly destroyed, frequently revolts; and sanguinary contests take place between the military colonists and their oppressors, which, notwithstanding the efforts at concealment made by the Russian Government, are known to the world, and ought to be known to a “Manchester Manufacturer,” who writes so authoritatively of the “love of improvement, and the security “given by law to life and property,” under the mild sway of the Russian Government.

We conclude our remarks on this branch of the subject with an extract from a pamphlet lately published, and which we have also placed at the head of this article. It contains many highly interesting details on the government and internal condition of Russia, and the Author, who is not unknown to us, has had peculiar opportunities of gaining information.

“The chief abuses in the Russian executive are the following :—

“The arbitrary and oppressive demands of government in all that regards the numerous taxes; which taxes are disproportionate to and far beyond the means of the people.

“The mode of the collection of these taxes.

“The mode of recruiting the army\*, which includes, not merely the providing the recruits demanded from each parish; but also their equipment and other attendant expenses, for which the public officers often extort enormous sums. On account of the frequent wars and great mortality of the Russian armies, these recruitings take place very frequently.

---

\* “When the time arrives for levying recruits in Russia, the peasants, that they may avoid being chosen, flee to the woods, where they remain for some weeks. In order to unfit themselves for service, they often cut off their fingers, put out their eyes, and draw their teeth,—so great is their horror of the twenty-five years’ cruel tyranny to which they would be exposed. The number of the cases of this kind of mutilation having become alarming, the government has resorted to very severe measures to put a stop to it. All those who are proved to have voluntarily maimed themselves are sentenced to banishment into Siberia, and this severity has also led to numerous abuses on the part of the agents of government. They report accidental injuries as designed, unless they are bribed to silence.”

" The complete absence of any sound regulations for the internal administration of the country.

" The systematic corruption and cupidity of all in public employments, from the highest to the lowest.

" The exorbitant and incredible abuse and oppression of the inhabitants by the military authorities, both when the troops are on march and when they are in quarters.

" One of the most powerful causes of the immorality and corruption of the public servants, is the small amount of the salaries paid by the government, and the consequent extortion from the people to make up the deficiency. In the provinces there are civil offices, the salaries of which do not exceed sixty or seventy paper roubles per annum, equal to from 2*l.* 10*s.* to 8*l.* sterling. In St. Petersburg, where those holding public employments are proportionally better paid, there are clerks attached to different departments who do not receive above 200 paper roubles, that is, about 8*l.* per annum. The senators, who in some respects act as peers, and, generally speaking, are individuals of much merit, since none but privy councillors, admirals, and lieutenant-generals are appointed senators,—these senators, then, only receive 6000 paper roubles, or about 240*l.* per annum; and yet they are obliged to display all the pomp of high dignitaries, and to reside in the capital, which is one of the most expensive in Europe. In order to live in such a style; even these senators, together with the superintendents of the several courts, and the heads of different offices, &c. &c. are compelled to resort to those immoral means of gain, which prevail in St. Petersburg, with the knowledge and the tolerance of the government. The course adopted is rather at variance with our notions. The subordinate agents, for their mere existence and the support of their families, are allowed to pillage and extort on the most frivolous pretexts. These subordinates, are then compelled to yield a share of their evil gains to the men in higher office, that they in their turn may be enabled to indulge in profusion. It is almost generally admitted, that, in order to obtain a public situation, not only must a certain sum be paid to the minister or governor of the province, but in most cases the person who obtains the office comes under an obligation to make an annual payment to his superior, which is usually twice or thrice the amount of his stated salary. This iniquitous system has reached its full development. As a result of it, such proceedings as that we are about to describe are of daily occurrence in Russia.

" The officers of the crown, having ascertained that a man is rich, resolve to make him the subject of legal exaction. They then devise some such plan as the following. One of their number, holding the office of *Observer of the execution of the law*, in Russian called Procuror or Straptchy, brings some kind of accusation against the unfortunate individual. It is not required that the public accuser should establish his charge. On the contrary, in Russia, it is the accused who must prove his innocence. For this purpose, it would be necessary for him to demand a commission of inquiry (*Sledstvennaya Komissija*), and of course to pay all the members of this commission, as well as all the expenses of the process. Such cases are protracted for several years, and the expenses become enormous. Under his embarrassment, the accused is almost sure of finding a friend among the colleagues of the accuser. This disinterested person is charmed with the opportunity of offering his services in an affair of this nature; for he has a peculiar pleasure in reconciling litigants by an amicable arrangement. He

kindly points out the consequences of delay; the great and certain expense; and the danger of a deficiency in the proof of innocence. The matter is ended by a regular bargain, in which the one party gives as little, and the other takes as much, as possible. Having thus bought off the inflexible Protector of the Law, and rewarded his *friendly mediator*, the menaced criminal feels delighted at his escape from their clutches, and the worthy functionaries applaud themselves on the success of their scheme.

"The army is neither better paid nor better regulated than the civil service. A cornet receives only 450 paper roubles per annum, that is to say, 18*l.*; a captain, somewhat more than 700 roubles, or 28*l.*; a colonel, 1000 roubles as pay, and nearly 2000 roubles as allowances, together not more than 3000 paper roubles per annum, or 120*l.* A common soldier in the regiment of the line, receives 3 paper roubles and 40 kopecks (2*s.* 10*d.*) every four months (*trot*), (if in the Guards or Grenadiers a trifle more,) the whole of which usually remains in the hands of his officers\*. It is true, that besides this pittance in money, the soldier ought to receive rations of bread and rice (*Krupy*); but these rations he never even sees. They are withheld to enrich the captains and lieutenant-colonels, and the soldier must get his nourishment elsewhere. The troops throughout Russia, whether in cantonments or in garrison, in the towns as well as in the country, are always lodged with the inhabitants. Although the government regulations require the inhabitants only to lodge the soldier, he being supposed to provide himself with food, yet in reality they must feed as well as lodge him; for the soldier never receives from his officers either pay or provisions, and the refusal of the inhabitants to supply the one or the other would draw on them still greater exactions. Wherever, therefore, soldiers are quartered, the inhabitants submit also to maintain them. It is the same when the troops are on the march: and then the peasants are besides obliged to supply, without remuneration, as many horses and carts as are required for the transport of the baggage of each regiment, or as any corporal thinks fit to demand. These doings are always accompanied with extortion, and often with violence. Horses are seized in the fields, and the hapless villagers are flogged unmercifully if they offer the least remonstrance or opposition.

"No one who has not visited Russia, can possibly form a conception of the gross and violent treatment of the peasantry by every holder of a public situation. If a man wears a red collar to his coat—if he has a double-headed eagle or the name of the emperor stamped on his buttons—he has a right to tyrannise with impunity over all the postilions and waiters, and over the villagers and Jews†. But great as are the sufferings of the serfs, from the arbitrary exercise of authority by the agents of the government, it is not to be imagined that the

---

\* "When the troops are beyond the limits of the empire, they receive their pay in silver, which is 3½ times more valuable. 3½ roubles in paper is equal to a silver rouble. It is by such means as these that the Emperors endeavour to give their army a love for foreign and offensive wars.

† "To exemplify what has been said in the text, we shall here relate a fact.

"The writer of these pages was travelling toward St. Petersburg, in 1829, immediately after the Turkish war. The military were passing in all directions, and many scenes occurred to rouse his indignation; but they were all surpassed by one he witnessed on the road between Vitebsk and Pakow. Stopping at the

circumstances of those agents themselves, or those of the citizens, or even of the nobles, are much better. In Russia, whoever is suspected or informed against is seized and imprisoned, without distinction of rank, of age, or of sex; and without even the semblance of legal procedure.

"An opinion is somewhat prevalent in Europe, that the Russian nation is impressed with the most enthusiastic attachment for the person of their Emperor. The prevalence of this opinion is easily understood, when we consider, first, that the duty of such an attachment is anxiously inculcated, and its undisputed existence firmly maintained, by the Czar himself, and by all his *faithful organs*; and then, secondly, that it is part of the system of the Autocrats always to proclaim themselves the most magnanimous, the most paternal, and the most beloved by all their subjects, Russians, Poles, Circassians, &c., in short, by all the world. But the love and attachment created by ukases and the knout, do not seem likely to be the most sincere\*; nor are they proved to be so, by requiring that every thing that is printed shall pass under the eyes of the censors; and by prefixing to all books the Emperor's name in large capitals, surrounded with the most endearing epithets! And yet this is the main foundation of the general belief in the inexpressible fondness of the Russians for their Autocrats. Besides, if the Russian people entertained for their Czars so violent a love as is pretended—since in Russia the Czar is the personification of the government—they must, as a consequence, love their government also; but such an assertion the mercenary panegyrists of the Czar or of his government have never hazarded†."

---

post-house to change horses, he saw an elegant carriage, from which the horses had just been taken. In a few minutes a kибитка drove up; an inferior sort of carriage peculiar to Russia. He soon found the kибитка belonged to the party in the first carriage: it was crammed with their luggage. Scarcely had the kибитка arrived, when a man, of an appearance decidedly military, came out of the house, and called for the kибитка's postilion. 'What means this behaviour?' he said, 'I have been here this half hour; what has kept you so long?'—'My lord,' replied the postilion, 'the carriage is extremely heavy, the roads are very bad, and the horses could not come faster.'—'Indeed,' rejoined the interrogator, 'you have always some excuse. I know you, and I'll teach you to loiter when you ought to follow close behind my carriage.—Tell my servants to bring here their whips.' Instantly the postilion was stripped, and horribly flogged. In vain he cried out for mercy, pointing to his wearied horses, whose exhausted state abundantly proved his innocence. The ruthless man stood by the whole time, taking no notice of his victim but by the most scornful epithets. Having thus wreaked his vengeance on the unfortunate postilion, the tyrant directed the chastisement of fifty lashes on his own servant, who had charge of the kибитка, because he had not made the postilion do his duty. After this execution of summary justice, he ordered his horses to be put to, and went off. The writer of these pages then left his carriage, and asked the name of this fine gentleman, in the hope of some day publishing it to the world, 'Ah!' said the postmaster, 'he is an aide-de-camp of the Emperor: that was Lieutenant-General Chrapowicki.'"

\* "There is assuredly no country where so many monarchs have come to a violent end as in Russia."—*See the History of Russia.*

† *The People of Russia and the Policy of England*, pp. 19—28.

In the debate on Russia and Turkey, in the House of Commons, on the 20th of last April, Mr. CUTLAR FERGUSSON is reported to have said, in answer to a speech made by Mr. ROEBUCK—

“ It is the first occasion in my life on which I have heard from the lips of any man a defence, apology, or excuse, for the most flagitious act that has stained the annals of modern times—the partition of Poland. I had believed that that nefarious proceeding had met with the just and universal reprobation of the whole civilized world, and it is with pain that I have heard a member of the House of Commons of England become the defender of that measure, in a place where it certainly never found a defender before.”

Since Mr. Fergusson expressed this opinion, Mr. Roebuck has ceased to stand in a position of painful singularity.—Mr. Cobden has appeared (notwithstanding his uncandid disavowal) as the defender and apologist of that partition — as the defamer of a people, whose struggle for independence is intimately associated with the material interests of Europe, with the progress of constitutional liberty, and the repression of military despotism. In writing of the history, manners, customs, and laws of this people, Mr. Cobden, nevertheless, evinces the profoundest ignorance, or the most wilful spirit of misrepresentation. He thus introduces the second chapter of his pamphlet, which treats of Poland.

“ The foregoing statements, with reference to portions of the Russian acquisitions, *founded upon unquestionable authority*, are calculated to awaken some doubts as to the genuineness of those writings and speeches, upon the faith of which we are called upon to subscribe to the orthodox belief in the *barbarising* tendency of all the encroachments of that country; but these facts are unimportant, when we next have to refer to another of its conquests, and to bring before our readers Poland, upon which has been lavished more false sentiment, deluded sympathy, and amiable ignorance, than on any other subject of the present age. This is a topic, however, upon which it behoves us to enter with circumspection, since we shall have not only to encounter the prepossessions of the ardent and sincere devotee, but also to meet the uncandid weapons of bigotry and cant. Let us, therefore, as the only sure defence at all times against such antagonists, clothe our arguments from the armory of reason, in the panoply of truth. We will, moreover, reiterate, *for we will not be misunderstood*, that it is no part of our purpose to attempt to justify the conduct of the partitioning powers towards the Poles. On the contrary, we will join in the verdict of murder, robbery, treason, perjury, and baseness, which every free nation and all honest men must award to Russia, Prussia, and Austria, for their undissembled and unmitigated wickedness on that occasion; nay, we will go further, and admit that all the infamy with which Burke, Sheridan, and Fox laboured, by the force of eloquent genius, to overwhelm the emissaries of British violence in India, was justly earned, at the very same period, by the minions of Russian despotism in Poland. But *our question is, not the conduct of the conquerors, but*

*The present, as compared with the former condition of the conquered : the first is but an abstract and barren subject for the disquisition of the moralist ; the latter appeals to our sympathies, because it is pregnant with the destinies of millions of our fellow creatures."*

" This body of nobles (the Polish) formed the very worst aristocracy of ancient or modern times; putting up and pulling down their kings at pleasure, passing selfish laws, which gave them the power of life and death over their serfs, whom they sold and bought like dogs or horses; usurping, to each of themselves, the privileges of a petty sovereign, and denying to all besides the meanest rights of human beings; and, scorning all pursuits as degrading, except that of the sword, they engaged in incessant wars with neighbouring states, or they plunged their own country into all the horrors of anarchy, for the purpose of giving employment to themselves and their dependants.

" In speaking of the Polish nation previously to the dismemberment of that country by Russia, Prussia, and Austria, we must not think of the great mass of the people, such as is implied by the use of that term with reference to the English or French nation of this day: the mass of the people were serfs, who had no legal protection and no political rights—who enjoyed no power over property of any kind, and who possessed less security of life and limb than has been lately extended to the cattle of this island by the act of Parliament against cruelty to animals! The nobles, then, although they comprised but a mere fraction of the population, constituted the nation; the rest of the inhabitants, the millions of serfs who tilled the soil, worked the mines, or did the menial labour of the grandees, were actually, in the eye of the law, of no more rank—nay, as we have shown, they were accounted less—than our horses, which, after the toil of the day, lie down in security under the protection of Mr. Martin's benevolent act; whilst the slave of Poland possessed no such guarantee from the wanton cruelty of an arbitrary owner."

The use of the words "nobility" and "aristocracy," when speaking of the privileged class in Poland, in the sense in which we understand those words, and in the sense in which they are properly used in all countries where the feudal system has prevailed, betrays at once the ignorance or insincerity of our author. The Slavonic "nobility" of Poland were not, as in the Gothic portions of Europe, the feudal vassals of the crown, nor did they constitute an aristocratic caste, comprising within its exclusive circle, only a few hundreds of families. In Poland every soldier was a "noble"—the words *nobilis* and *miles* were synonymous; but each noble was but a citizen, and amongst them equality of a most democratic nature prevailed. The law of primogeniture was unknown, no distinctions were admitted, save on the ground of actual service and individual merit, and the titles and honours which in other states have long been hereditary, were only granted for life. Their waywodes or military chiefs, their castellans or governors



of castles, their palatines or leaders of counties, enjoyed their authority for that period only, and these officers were not always nominated by the king. Five hundred years ago, before liberty and equality became the watchword of the French revolution, they were the favourite principles of the Polish republic. Anarchy and disorder did not prevail in that country because the throne was elective; but the throne became elective, because the people were too jealous of their privileges to admit of hereditary succession\*.

Thus the "nobles" in Poland were, in fact, what in modern times, the *electors* are in constitutional states—they were the only class of the nation possessed of *political rights*, and as a proof that the democratic principle must have predominated in their body, it is sufficient to state, that in the sixteenth century, Poland possessed more than *one million*† of these privileged citizens or "nobles‡," while England, until the passing of the Reform Bill, did not number more than 300,000 electors, and France at this day, with a population of 32,000,000, has an elective constituency which does not amount to 200,000.

That so numerous and powerful a body of constituents should exercise a paramount influence in the state can scarcely excite surprise; but when Mr. Cobden states that the nobles of Poland passed laws which enabled them to buy and sell their serfs like dogs and horses, we ask the chapter and the section of the Polish code in which that enactment is to be found; and until he produces this authority, we shall content ourselves with denying, as concisely as courtesy will permit, the truth of his statement. That the ancient constitution of Poland was free from faults we do not assert. The nomadic habits derived from their forefathers, which induced the Poles to hold open meetings of the elective body, instead of adopting a well organized system of representation—the fatal privilege of the *liberum veto*, which enabled any *one* citizen to defeat the decision of the majority; and the election of

---

\* Alison's *History of Europe during the French Revolution*.

† See Starowolski and other Polish historians.

‡ In Poland a great many of these "nobles" cultivated the soil with their own hands. It would be ridiculous to compare such a nobility with the aristocracy of England.

their kings, carried on under the jealous supervision, and incessant intrigues of powerful neighbours, are sufficient, unfortunately, to account for the "anarchy" of Poland, without attributing to her legislature crimes of which it never was guilty, or clothing her "nobles" with privileges which are solely the manufacture of Mr. Cobden's pamphlet.

We ask, also, the name of *one* Polish king "pulled down" by his people, during the last five hundred years. Henry of Valois (afterwards Henry III., of France) abandoned the crown of Poland, when the death of Charles IX. opened to him the succession to the throne of his native land. But although Henry left Poland in secret, without the consent of the Diet, and without the knowledge of his subjects, yet the term of one year was fixed for his return; and it was only after the lapse of the prescribed time, that the throne was declared vacant.

The only other instance of abdication that we are aware of, was that of John Casimir. When that noble-minded monarch felt that his advanced age, and the increasing misfortunes of his native land (the country being attacked and plundered by the Muscovites, Cossacks, Tartars, and Swedes), rendered him incapable of performing the duties of his high station, he resigned the important trust confided to him, and deposited his crown with the Diet. The following simple but touching address, bears witness to his motives for taking this step:—

"PEOPLE OF POLAND,

"It is now two hundred years that you have been governed by my family. The reign of my ancestors is passed, and mine is going to expire. Fatigued by the labours of war, the cares of the cabinet, and the weight of age; oppressed with the burthens and solitudes of a reign of more than twenty-one years, I, your king and father, return into your hands what the world esteems above all things—a crown; and choose for my throne six feet of earth, where I shall sleep in peace with my fathers."

Is this pulling down kings? The power of the Polish kings, as in all free states, was indeed strictly limited, but the love and respect they enjoyed were not less sincere than the reluctant loyalty claimed by the absolute monarchs of Europe. It is also worthy of observation, a circumstance of which the Poles are justly proud, that there is no instance in their history, of a king being put to death by his subjects,

while in Russia, notwithstanding the abject servitude and blind obedience of the nobles, almost every czar has perished by violence or poison, the result of court intrigues, in which the names of parents, consorts, and sons not unfrequently figure.

It is not denied that in the year 1572—a period of disorder unfairly selected—the Polish peasantry were in a state of serfage, and were, as in other parts of Europe, *adscripti glebæ*. But does Mr. Cobden mean to urge this as a reproach to which the Poles alone are obnoxious? If we consider the ancient state of Europe, we shall find that the far greater part of society were everywhere bereaved of their *personal* liberty, and lived entirely at the will of their masters. Every one that was not noble was a slave; *the peasants were sold along with the land*; the few inhabitants of cities were not in a better condition; even the gentry themselves were subjected to a long train of subordination under the great barons, or chief vassals of the crown. The latest laws which we find in England for enforcing or regulating this species of servitude, were enacted in the reign of Henry the Seventh; *the ancient statutes on the subject remain still unrepealed by parliament; and it was not till the end of Elizabeth*, i. e. 1603, that the distinction of villain and freeman was totally, though insensibly, abolished\*.

Now it appears from M. Malte Brun's important work†, that in the year 1347, a "universal statute was passed in a Diet "convened by Casimir at Wislica," the object of which was to repress the ambition of the nobles, and to protect the rights of the peasantry; and which, amongst other important provisions, enacted, "that every peasant ill treated by his master, "might sell his property, and withdraw himself to whatever "place he thought proper. These laws of Casimir," continues Malte Brun, "obtained for him the name of *King of the Peasants*—a title far more honorable than that of *great*, "which posterity has also assigned to him."

Again, Professor Lelewel, in his "Essai Historique sur la "Législation Polonoise, Civile et Criminelle, jusqu'au temps des

\* *Hume's History of England.*

† *Tableau de la Pologne, Ancienne et Moderne*, p. 170. Brussels, ed. 1831.

“ Jagellons, depuis l'année 980, jusqu'en 1430,” thus speaks of the same code of Wislica :—“ The Statute of Wislica binds  
 “ equally the nobility and the peasants.—The articles of this  
 “ code speak more frequently of the nobles, although they  
 “ apply to the peasants also, and frequently have a direct  
 “ reference to them.”

That the condition of the Polish peasant became more depressed as the national misfortunes of his country increased—that, in common with every other class, he experienced the effects of foreign intrigue, hostile invasion, and an incessant state of warfare—is an historical fact which we do not deny ; but it is a fact which neither justifies or palliates the broad assertions of the Manchester Manufacturer. The Poles have so completely identified the achievement of their national independence with the triumph of civil and religious liberty, and these two objects are so blended in their minds, that they never contemplate the one event without combining with it the other as a necessary consequence. Thus the peasant, in common with every other class of society, looks to the emancipation of his country as a means of securing to him a happier lot, and feels his destiny to be wound up with the regeneration of his native land. Of the existence of these feelings, there are abundant proofs.

*First.*—In the memorable political and social reform effected in Poland, with the unanimous consent of the nation, by the adoption of the Constitution of 3rd May, 1791\*.

*Secondly.*—In the Constitution of the Duchy of Warsaw in 1807, which declared that all classes were equal in the eye of the law.

*Thirdly.*—In the insurrection of 1831, and the proof the Polish nation thereby gave, of its unanimous determination not

---

\* The Constitution of the 3rd May doubtless is not such a measure of reform as would be adopted at the present day ; but taking into consideration the actual condition of the country, and the jealousy of the surrounding despotic governments, it can only be looked at as a noble effort made by the Poles to emancipate themselves from an antiquated and vicious system of legislation. The fastidious Mr. Cobden is dissatisfied with this Constitution ; but Charles James Fox said it was “ a work in which every friend to reasonable liberty must be sincerely interested ;” and Edmund Burke declared that “ humanity must glory and rejoice, “ when it considers the change in Poland.” The Poles must seek consolation in these opinions for the disapprobation of Mr. Cobden.

to abandon its nationality, or surrender its civil and political privileges\*—privileges which belong to it of right as a *nation*, independently of the seals of charters and the oaths of kings.

Such are the proofs given by the Poles of their attachment to constitutional liberty, and such are the guarantees of the people of Poland, for the just and liberal views of that class, which, possessed in former times of exclusive rights, without a sanguinary revolution, and not goaded in the path of liberality by a “pressure from without,” voluntarily surrendered those social privileges, which were opposed to the progress of civilization, and the existence of which may be traced to the spirit of the times, and the condition of society in which they had their origin.

It only remains for us to notice, with Mr. Cobden, “the present as compared with the former condition of the conquered.”

The following is the quotation from Dr. Lardner’s *Cyclopædia*†, upon which Mr. Cobden relies:—

“The condition of the country had continued to improve beyond all precedent; at no former period of her history, was the public wealth so great or so generally diffused. Bridges and public roads, constructed at an enormous expense, frequently at the cost of the Czar’s treasury; the multitude of new habitations, remarkable for a neatness and a regard to domestic comfort never before observed; the embellishments introduced into the buildings, not merely of the rich, but of tradesmen and mechanics; the encouragement afforded, and eagerly afforded, by the government, to every useful branch of industry; the progress made by agriculture in particular, the foundation of Polish prosperity; the accumulation, on all sides of national, and individual wealth; and, above all, their happy countenances of the inferior classes of society—exhibited a wonderful con-

---

\* We have not space to insert that portion of the Constitution of 1807 which gives to the peasantry their political rights; but we quote the law enacted by the Diet on the 19th of May, 1831, for the organization of a national representation in the provinces of Lithuania and Volhynia, &c. &c.; an organization which had been previously established in the Kingdom of Poland by the Constitution of 1815.

ART. 4.—In the election of the Lithuanian and Russo-Polish Legislative Assemblies, the right of voting is given to the inhabitants of towns and villages who are possessed of a freehold property—to the secular clergy—to all licensed merchants—to doctors of law, divinity, and medicine—to professors and tutors—to advocates, attorneys, artists, and artisans—to all master tradesmen—and finally to every farmer paying a fixed rent (however small).

The 12th Article declares that every proprietor having a right of voting, and being thirty years of age, may be elected a deputy.

† We venture to predict, that, if another edition of Dr. Lardner’s *Cyclopædia* is published, it will contain juster views of the condition of that country than the article here referred to.

trast to what had lately been. The most immense of markets, Russia—a market all but closed to the rest of Europe—afforded constant activity to the manufacturer. To prove this astonishing progress from deplorable, hopeless poverty to successful enterprise, let one fact suffice. In 1815, there were scarcely one hundred looms for coarse woollen cloths;—at the commencement of the insurrection of 1830, there were six thousand.”

*Poland* is a convenient word for writers to use, who are either imperfectly acquainted with, or wish to misrepresent the actual condition of that country. *Poland*, properly speaking, includes within its limits all the territory it possessed previously to the partition of 1772. The duchy of Posen, now belonging to Prussia; the kingdom of Galicia, the share of the spoil allotted to Austria; the provinces of Lithuania, Podolia, Volhynia, a part of Livonia, and the Ukraine; the parts “seized with robber-hand” by Russia, may each be called *Poland* with as much propriety as that portion of the nation designated by the treaty of Vienna “the Kingdom of Poland,” and of which Warsaw was the capital.

It is necessary, therefore, to the right understanding of this passage, to bear in mind that *Poland* here means the kingdom of Poland, established by the Treaty of Vienna, as the allusion to the period between 1815 and 1830 clearly proves.

Now, the progress made by this portion of Poland during the time referred to, and which is adduced by Mr. Cobden, and the writer of the article in Lardner’s Cyclopædia, as an instance of the advantage conferred by Russian protection; *we* should adduce as a proof, amounting to demonstration, of the benefits which would result from excluding Russian protection altogether, and from giving to the Poles a free constitution, civil liberty, and social rights. It is not a *fact* that the kingdom of Poland was under Russian protection (in the Muscovite sense of the word) from 1815 to 1830, and the Poles took up arms precisely because Russia was determined to inflict her protection upon them, and destroy the constitution under which their material interests had begun to flourish, in defiance of an incessant system of intrigue and jealous interference, which violated their social rights, and arrested the free course of justice.

If Mr. Cobden really wished to show the benefits of Russian protection, he would have inquired into the actual condition of Lithuania, Volhynia, Podolia, and the Ukraine, which have

been under the immediate and despotic control of Russia since the partitions. He would there have found the serf deprived of all hope (*save one*) of meliorating his condition; he would there have found men "sold like dogs and horses"—a genuine Muscovite usage, in practice only where Russian ukazes, Russian knouts, and the benign rule of the Czar, have superseded the free institutions of Poland—where violence and corruption have usurped the authority of the law. Mr. Cobden, as the panegyrist of the Russian Government, should also have dwelt more at length upon the condition of the kingdom of Poland since the late contest; and his readers would have formed their own opinion of the "humanity" of that Government, which, at the point of the bayonet, has dragged 5,000 FAMILIES from their homes, and banished them into Siberia\*. Mr. Cobden's readers would also have known what he meant by "security given to life and property," when he told them of a child's property plundered, because his father had been guilty of the crime of patriotism, or of a father's fortune confiscated, because a son had joined his countrymen in exile.

It is not the turbulence of a few discontented nobles that renders the presence of 200,000 armed Russians in Poland necessary. It was not the affection of a grateful people for a just and liberal monarch, that urged the Czar to threaten Warsaw with destruction from the cannon of the newly-erected citadel, and it is in vain for Mr. Cobden or his Russian coadjutors, to tell the Polish peasant that he has nothing to gain from the independence of his native land. He knows better. He knows that his only hope of breaking the fetters which gall him, is in the achievement of that independence—he knows he is *now* a slave—he knows he would *then* be a freeman; and his heart beats high, and his arm is nerved for the coming contest.

Our exhausted space obliges us to take leave of Mr.

---

\* Mr. Cobden states, that by a Ukaze of the 9th (21st) November, 1831, the Russian Government ordered 5,000 Poles to be sent into the Steppes of Asia: This is an error; 5,000 *families* were ordered from one province (Podolia alone; and others were sent from Lithuania, Volhynia, &c. &c. These persons were not taken exclusively from the "order of the Gentry," as stated by Mr. Cobden, but were chiefly agriculturists—the quiet inhabitants of the country.

Cobden, without noticing the 3rd and 4th chapters of his pamphlet, *On the Balance of Power*, and *The uselessness of armed protection of Commerce*; but we regret this the less, as we have reason to believe that a more detailed answer to it, than the limits of a Review permit, will, in a short time, be published. As friends of the Polish emigrants in England, we reject the apologetic expression of sympathy (see note, p. 20) which he tenders to them. The Poles, however, are a brave people, and generosity and courage are ever found united; the emigrants themselves may therefore forgive Mr. Cobden for the attempt he has made, to drop poison into their overflowing cup of bitterness. As Englishmen, we can only express a hope, that the next time he appears in print, it will be as the advocate of constitutional freedom—as the friend of social advancement—of humanity—not as the champion of despotism.

---

ARTICLE VII.

*Pelham; or the Adventures of a Gentleman, &c. &c. &c.*  
*The last Days of Pompeii—Rienzi, the last of the Tribunes.*

By the Author of *Pelham*.

*O'Donnell, &c. &c. &c. The Princess; or, the Beguine.* By  
 Lady MORGAN.

*The Wife and Woman's Reward.* By the Honourable Mrs.  
 NORTON.

*The Two Friends.* By the Countess of BLESSINGTON.

*The Disinherited, &c. &c. The Devoted.* By the Authoress  
 of *The Disinherited, Flirtation, &c.*

*Mothers and Daughters, &c. &c. &c.*

*Mrs. Armytage; or, Female Domination.* By the Authoress  
 of *Mothers and Daughters.*

THE most productive branch of commerce in modern literature seems to be that of fiction in prose,—and, it may be added, in the mass, the least valuable. The reason of all this is plain.

Romances and novels, its great staple, proceed under the double stimulant of being in the most general demand, and the



most easily produced. All readers,—the active, the indolent, the ignorant, the informed, the frivolous, and the serious, all turn over the pages of the last new novel, from the various impulses of recreation, curiosity, killing time, and having something to talk about. The more discerning or fastidious give only a transient and indifferent glance, whilst the mob of readers surrenders its easy faith to the puffs preliminary issued by the author or the publisher or both confederated, through the daily and periodical press.

The novel, again, is the most easy and tempting of all literary fabrics. It requires some art and study to convey plausible common places in tolerable metre. Verse making is an accomplishment. But prose is, as it were, our mother tongue, which we have been talking all our lives; very few, in these days, like M. Jourdain, without knowing it. There is, consequently, little difficulty in making prose the vehicle of individual conceits and fancies, and there are few persons, comparatively, who have not enough of those visions of self-complaisant vanity and imaginative power which furnish forth a readable novel. We have met with a French comedy, entitled "*Les Visionnaires*," of which it is the ground work, that generally speaking, each individual unit of the social aggregate lives and moves much less in the surrounding realities of life than in an unreal world of self-created, self-flattering, beau-idéal illusions:—"Nous voyons tous les jours parmi nous," says the dramatist, speaking of the personages and the self-delusions exhibited in his play,—"*des esprits semblables qui pensent pour le moins d'aussi grandes extravagances—s'ils ne les disent pas.*" There is in this distinction as much truth as acuteness. Self-conceit, like lunacy, has cunning enough to hide its fantasies; and the fumes of imagination which the generality have discretion enough to conceal in their own persons, and in ordinary discourse, find a safe and congenial vehicle in a novel or romance. Not only literary knowledge, but observation of the world may thus be dispensed with.

We, of course, speak only of the common and inferior order of novels. That form of writing can be and has been made subservient to the highest interests of human reason and society. What didactic treatise could teach man the true knowledge of religious toleration and human charity; with the facility and

efficiency of the "*Ingénu*?" The pleadings of the author, in the cases of the Chevalier Labarre, and the families of Calas and Sirven may have done much to purify French jurisprudence of persecution, and the French tribunals of fanaticism; but his romance insinuated the light of reason, toleration, charity, and humanity, through society at large.

The association of Voltaire with Scott may be thought incongruous—but the incongruity is only in seeming. We do not know a more instructive view of persecution and fanaticism, and the delirious inhumanity with which they inoculate individuals and multitudes, than may be obtained from the perusal of Scott's Tales. Whether he abused or only used,—transgressed or only asserted—that licence with historic truth, which belongs to the writer of historical romance, we will not here stop to inquire: but we venture to say that no historian, whether philosophical narrator, or mere chronicler of the events of British history in the seventeenth century, leaves such strong and salutary impressions of those unhappy chimeras of the imagination and the passions, which, under the abused name of religious conscience, have made men regard each other with the instincts of mutual hatred and mutual destruction. The historian but enriches the memory—the novellist enlightens the mind; the latter is a great moralist, like the father of poetry—

Qui, quid sit pulchrum, quid turpe, quid utile, quid non,  
Pleniùs ac melius Chrysippo et Crantore dicit.

In what discourse or treatise—however learned, eloquent, and laboured—shall we find the ethics of domestic life treated with so much depth, purity, and persuasion, as in the *Clarissa* of Richardson, and Goldsmith's *Vicar of Wakefield*? But we must turn away from the masterpieces of emotion and humour, character and invention, which adorned English literature and improved English style during the last century: the mention of them would be relevant only by contrast in treating the novels of the present day. Less, however, is to be charged upon the want of capacity among the writers, than upon the depravation of the public taste.

The sphere of novel reading has become wider than ever. It has enlarged, and continues to enlarge every day. But whilst it gains in numbers, it loses in quality; more especially since

the disappearance of Scott from the scene. The higher class of novel readers has since greatly diminished. There are popular and clever novel writers, but none of such genius and consideration, that their last publications may be seen lying open on the study tables of men holding a certain station in public affairs, in the learned professions, or even in literature.

The taste for novel reading is vitiated and debased by the most offensive species of vulgarity. There are, first, the taut-hunting readers, who will devour anything recommended by the tinsel and glitter of a *soi-disant* aristocratic or fashionable name in the title page, or in the bookseller's puff paragraphs. People too remote from the region called high life, to have any personal knowledge of it—and without sagacity or sense enough to observe and estimate it from a distance, at its proper value, take up these novels by way of guides to the language, the manners, the habits, the costume of an unknown land. They would know how dukes and duchesses, lord Charleses and lady Carolines talk, dress, eat, drink, laugh, yawn, and apply their pocket-handkerchiefs. The extent to which this bastard curiosity prevails, may be judged by the industry with which it is purveyed for in the newspapers. The most conspicuous columns, and the most attractive type, are devoted to the "court news," and "fashionable movements,"—and this for the edification of people who, for the most part, have no more real concern with fashion and the court, than with the doings in Saturn.

This is lamentable, even as a degrading abuse of the most powerful moral engine in the world—the public press of a free and civilized people:—but the fault is with the consumers. A profitable demand will be supplied by those who despise both the article and the persons who are foolish enough to have a fancy for it.

It is further a matter of reproach and shame, that this base appetite is peculiar to our country. The French newspaper press disdains—doubtless because its readers would disdain—such trash. A knowledge of the English language is now so general in France, or at least in Paris, that the English journals are commonly to be found in the reading-rooms and coffee-houses of that capital. When a Frenchman sees in them the

curious variety of petticoats, emblazoned according to the rules and nomenclature of the millinery art, which were presented to her gracious majesty, at her last drawing-room, as part and parcel of some five-hundred ladies, from my lady duchess to my lady mayoress—dividing the London newspapers of the day with the debates in parliament,—he views this anomaly first with astonishment, and then with derision.

This pitiful folly seems to be of two kinds: first, the silly and grovelling worship of tufts and titles; next, the vain aspirings of a sickly vanity, pretending to things at once incongruous, inaccessible, and not worth the pursuit.—Where is that sense of independence, that feeling of self-respect, scorning to seek an inséure and awkward footing beyond its proper and rightful sphere, which should accompany and characterize the intelligence and industry of the middle classes—even in those sons and daughters, who owe to the industrious and skilful toil of their parents their own leisure to read novels?

It was this paltry compound of curiosity and pretension that produced the inundation of fashionable novels, so called, which over-ran its bounds—then receded from the high-water mark,—and of the return of which there are some signs at this season. The abuse is, however, we repeat, chargeable upon the public taste. Stuffed figures, clad in counterfeit finery, pretending to represent dukes, dandies, and the intervening gradations—pasteboard interiors rendered imposing by the nomenclature of upholstery; flimsy or vapid dialogue, made up of certain cant terms relating to Tattersall's, the opera, Crockford's, and Almack's,—and of names and scraps from the French art of cookery, with a copious sprinkling of the most barbarous Anglo-French phrases—all these will continue to furnish forth novels of high life, in three volumes, whilst there are people ignorant and foolish enough to be gratified, or duped by them. Such is the diligence in procuring entertaining knowledge for this large class of readers, that female writers venture to give descriptive and dramatic scenes from clubs and gaming-houses, the morning orgies and afternoon breakfasts in the apartments of single lords and gentlemen in their private apartments at the Bond Street hotels; of which they could not, without insult to them, be

supposed to know more than they do of what passes in a lodge of freemasons.

In the foregoing observations, we have had chiefly in view novels and their authors, of which we shall take no further or more particular notice. Those placed at the head of this article are taken at random (not selected), as among the most distinguished for talent and popularity. There are others which might be placed in the list, if our space admitted of it. We say this to guard against the supposition of invidious preference or injustice.

It was our intention to confine ourselves to the lady novelists; we have introduced Mr. Bulwer for several reasons. One is, his popularity and influence in the literature of the day:—another is, that Mr. Bulwer's talent and temper, as an author, partake of the sex. Mr. Bulwer's deficiency, in essentially masculine power, is never more apparent than when he most labours to disguise it, by the affectation of deep thought and vigorous expression; whilst his vanity of authorship is so overweening and susceptible, under the lightest touch of criticism, that he frets and rails with more than feminine weakness, and sometimes with a want of good sense and good taste, which seems to be peculiarly his own.

One of the most deplorable of these escapes of temper may be observed in his recent preface to one of his novels, re-issued by Mr. Colburn from his mint of cheap publications. It was intended as a reply to some strictures which we made on his writings, but accompanied with a frank admission of his talents, in a former number of this Review. We will not retract or qualify the liberal donation; and as to the petulance and personalities, indulged in by him with a sort of melancholy self-complacency—we regarded them at the time, as they seemed to be regarded by other people, with surprise and pity—and we will not now do Mr. Bulwer the unkindness to revive or recur to them. We must, however, notice the little that was tangibly intelligible in his assertions and complaints.

"I can," says Mr. Bulwer, "afford his (the Reviewer's) censure—but why should he mis-state, as well as censure? He attributes to me phrases and expressions in Pelham which are *never* used in that work. To be taught manners, &c. &c. is a little too good." Passing over Mr. Bulwer's calm indif-

ference to censure at a moment when he is fuming, like Sir Fretful Plagiary, we will only remark, that he has not ventured to specify one expression or phrase mis-stated by us. We presume him to allude to our notice of the glaring solecism, committed by him in the use of such terms as "*ma belle*," and "*mon mignon*," gallant familiarities (we repeat) interchanged among the *ci-devant* promenaders of the Palais Royal, — not in the accomplished circles of the Chaussée d'Antin. Mr. Bulwer says, "They are *never* used in that work." We wrote of "Pelham," from the impression of a by no means recent perusal—but such an impression as remains upon the memory after the perusal of a work of great cleverness, notwithstanding its offences against sense and taste. The denial of Mr. Bulwer somewhat startled us, and we took the trouble to glance anew over its pages. In Vol. I., page 205, Mr. Bulwer's hero, at a literary dinner given by "the Marquis d'Al—" is thus addressed by a lady of the party *crying aloud*, "Pelham, *mon joli petit mignon*, I have not seen you for an age—do give me your arm." It will be observed that, writing from memory, we overlooked the epithets and understated the offence. Again, in Vol. III., page 109, we find the following gallant colloquy passing between Mr. Pelham and a lady in the ball-room of a duchess:—"Let us join the waltzers." "I am engaged." "I know it—Do you think I would dance with any woman who was *not* engaged? There would be no triumph to one's vanity, in that case. *Allons, ma belle*, you must prefer me to an engagement." Possibly Mr. Bulwer has expunged these solecisms from the Pelham of the cheap publication; and when he wrote the above inconsiderate denial, forgot that he had ever penned them.

We will not retort mis-statement upon Mr. Bulwer, but we will show that he is not more liable to forget what he has himself written than to misapprehend what is written by others. "The object of the Review," says he, "is capital. Its prospectus declares it set up, *because* literature is in a very low state." The writer of this paper had no more to do with the composition of that able prospectus than Mr. Bulwer himself. He is therefore at liberty to express his individual opinion of its force and precision of thought and style; and having particularly referred to it, he not only denies Mr.

Bulwer's "capital object," but is enabled to prove that of which the proof is most difficult, a negative—by citing the real object of this Review, as it is stated expressly—*viz.* "calling " the attention of the public to the close connection which " exists between the progress of social and intellectual improvement in England and in other countries."

" By the bye," says Mr. Bulwer, " what do they (*The British and Foreign Review*) mean by talking of novels " as ephemeral?" We ask, in return, what Mr. Bulwer means by this question? Can he misapprehend so unscrupulously as to intimate that we declared *all* novels ephemeral, in defiance of our express homage to the classic novels of our own country, and of France? Or is his vanity of authorship so extravagant and overweening, that he will not suffer the brood of the Minerva Press or New Burlington Street to be called ephemeral, lest it should imply a doubt of the immortality of the novels written by him?

To return, for a moment, to Pelham, a clever work, we again repeat, but offending in almost every page by some intrusion of vapid pretension and ignorant solecism—Mr. Bulwer represents his hero as an admirable Crichton in talent and accomplishment, putting on the disguise of a coxcomb. This disguise is called, by Mr. Bulwer, irony and philosophy. We venture humbly to observe, that it has neither moral nor meaning. But let this, for the present, pass. This "gentle-man," emphatically so called, is supposed to display his accomplishments, whilst he masks his character. How does Mr. Bulwer acquit himself of this truly difficult engagement? Our fine gentleman affects French phrases with a total want of point and disregard of propriety; and this palpable sin of pretension is aggravated by the temerity with which the French language is outraged. We can afford space for only a few examples. "*Affaire du cœur*" is his ordinary mode of expressing an affair of gallantry. It reminds one of the Englishman, in the French farce, who declared his passion to his mistress, by saying, "*J'ai mal au cœur.*" "*Science du monde*"—"Science du cœur et du monde—" "*Science du,*" &c. &c. are favorite expressions of our author. It is evident that Mr. Bulwer does not condescend to observe the difference, though a material one, between *science* and

*connaissance*. Mr. Bulwer would not, for the world, put into the mouth of his hero such a phrase, as "saying fine things" to a lady; and to eschew the vulgarity, he commits the barbarism of making him say "*des belles choses* to his kind-hearted neighbour." The following is a concentrated specimen of his Anglo-French:—"Our conversation turned partly upon books, and principally on the *Science du cœur et du monde*; for Lady Roseville was *un peu philosophe*, and *un peu littéraire*." *Un peu littéraire!* We have again, "Miss Glanville's *renommée* as a *belle célébrée!*"—"A new play had just been acted, and the conversation, after a few preliminary hoverings, settled upon it. 'You see,' said the Duchesse, 'that *we* have actors—you authors. Of what avail is it that you boast of a Shakespeare, since your *Liseton*, great as he is, cannot be compared with our Talma?'"

"And yet," said I, preserving my gravity with a pertinacity, &c. &c. "Madame must allow that there is a striking resemblance in their persons, and the sublimity of their acting."

"Pour ça, j'en conviens," replied this *CRITIQUE de l'école des femmes*; *mais cependant votre Liseton n'a pas LA NATURE, l'âme, le (le!) grandeur de Talma.*" The witty and accomplished women of Paris may forgive this poor attempt at satire upon them by a person so ignorant of Molière and of their language, as to confound *critique*, criticism, with critic, in "*critique de l'école des femmes*," and to employ *la nature* for *le naturel*. In fine, we know nothing to compare with Mr. Bulwer's Anglo-French, except the French exercises of some Whitechapel young lady, who admires his novels. We have heard French people say of Mr. Bulwer, that his French "was like that of an *Iroquois*," but, of the correctness of the similitude we cannot judge. Our impression is, that Mr. Bulwer, when he wrote Pelham, was equally ignorant of the language, the manners, and the usages of Paris. He sends the *Duchesse d'Anville*, for a fashionable promenade, to the *Luxembourg*!

His introduction of his hero at the Duchess of Berri's ball is a rare specimen of the pasteboard style of high life novel writing.

"I had received, that evening, an invitation from the Duchesse de B—  
..... There were but eight or nine persons present when I entered the royal



chamber. The most distinguished of these I recognised immediately as the —— (Count d'Artois, we suppose) the present —— (king.) He *came forward* with much grace, as I approached, and expressed his pleasure at seeing me.

" ' You were presented, I think, about a month ago,' added the —— with a smile of singular fascination. ' I remember it well.' I bowed low to this compliment. ' Do you propose staying long at Paris?' continued the ——, ' I protracted,' I replied, ' my departure solely for the honour this evening affords me. In so doing, *please your Royal Highness*, I have followed the wise maxim of keeping the greatest pleasure to the last.'

" The royal chevalier bowed to my answer with a smile still sweeter than before, and began a conversation with me, which lasted several minutes," &c. &c. &c.

Mr. Bulwer's ceaseless disgorging of undigested and indigestible French phrases may be intended by him for what he calls ironical or philosophical satire upon that species of vulgarity, and his royal drawing-room scene may also be a specimen of his irony or philosophy. It is one of his most frequent complaints that he is not understood. We confess the simplicity of supposing him in perfect good faith. Whether Charles X. "*came forward*" "with much grace" to receive Mr. Pelham, we leave to those who are initiated in court etiquette. As to the fascination of his smile and the felicity of his compliments, any one who ever saw that personage must remember that he was distinguished by the certain sign of stolidity, a *bouche béante*, and no one could live much in Paris, without hearing frequent mention and ridiculous instances of the vulgarity of his thoughts and style—his conversation never emerging out of common-place, and sustained chiefly by such expletives as "*et tout ça, comme de raison*," &c. &c. There is some still more exquisite fooling,—or philosophy perhaps,—respecting the Duchess of Berri. "As the —— paused and turned with great courtesy to the Duc de ——, I *bowed my way* to the Duchesse de B——. .... She was speaking with great volubility to a tall stupid-looking man,—one of the ministers,—and smiled most graciously upon me."..... ' You will soon ' return to Paris,' said the Duchesse de B——. ' I cannot ' resist it,' I replied. ' *Mon corps reviendra pour [pour !]* ' *chercher mon cœur*.'—' We shall not forget you,' said the Duchesse."—This is absurd enough for a satire upon the pretension and impertinence of the fashionable novels;

but absurdity is the only sign of its being a designed burlesque.

Pelham teems with witticisms and maxims; but many of them are appropriated from well-known books, with an equal want of scruple and prudence. One of his maxims put forth as original, is, that a wit or genius having made a favourable impression, should immediately retire. Every person of ordinary reading has seen it in Bubb Doddington's Diary. Somebody says to Mr. Pelham, "Poverty has no law, *et il faut vivre.*" '*Je n'en vois pas la nécessité,*' replied I, as "I got into my carriage." This is the well-known reply of the French minister d'Argenson, to the Abbé Desfontaines's excuse for having written a libel. A late noted dandy is brought on the scene under the name of Russelton. "'Look 'at this coat, for instance,' said Sir Willoughby Townsend, 'making a dead halt, that we might admire his garment. 'Coat!' said Russelton, with an appearance of the most *naïve* surprise, 'and taking hold of the collar, by the finger and thumb, 'coat, 'Sir Willoughby! do you call this thing a coat?'" This is really good, but it is not Mr. Bulwer's—he has transplanted it, root and branch, into his "Adventures of a Gentleman," from the "Adventures of a Lady," named Wilson, where it is told *totidem verbis* of the identical dandy.

Where his witticisms are avowedly borrowed, he spoils them in the telling. "When," says he, "a certain wit was informed how St. Denis took a walk with his head under his arm, he *wisely* observed that it was one of those cases in which the first step was *half* the journey." This witticism is Madame du Deffand's, and is told by her in one of her letters to Horace Walpole. Mr. Bulwer not only throws in "*wisely*" with an incongruity which would make one stare, but blunts the point in the telling. What she really said was, that in such cases it was only *le premier pas qui coûte*—"the first step was every thing"—not "*half*," &c. These violences are committed by him, sometimes from a perverse affectation of saying every thing in a way of his own. At other times he finds it necessary to crush or maim a borrowed witticism into such a form as to fit his purpose of illustration. "A German," says he, "was discovered one day jumping over the chairs and tables in his room." 'Good Heavens! what are you about?'

“cried the intruder. ‘*Trying to be lively,*’ *groaned* the German. Every body knows that I am *learning* to be lively,” was the German’s answer, puffing, perhaps, but assuredly not “groaning” in his voluntary and self-complacent acquisition of the art. The story of the German is thus disfigured by Mr. Bulwer into an illustration of the following modest dictum. “The French seem to be taking the same means, making the same clatter, and with the same success, in trying to make themselves profound.” This, to use Mr. Bulwer’s term, is “capital.” Montesquieu, Voltaire, Helvetius, Condillac, and Diderot, were but shallow dabblers, as moralists and metaphysicians, in the sublime contemplation of the author of *Pelham*!

*Pelham*, we admit and repeat, is a work of talent. Of this there is conclusive proof in its popularity and reputation, in spite of its affectations and solecisms,—its forced union of the frivolous and gay, with the meagre horrors of melodrama. We should weed out no more examples,—having given so many—but that we would offer no censure, without enabling the reader to exercise a revision of judgment. Our “gentleman,” then discarding the word “ablution,” which is used by others, talks with a strange infelicity of phrase, of “performing his lavations in a cracked bason!” We have “lavations” again, but in reference “a frill exquisitely washed.” Beware, oh beware, your linen, your neckcloth, your collar, your frill, on the day you are tempted to the perpetration “of a white waistcoat” [“beware!” “perpetration!”] . . . If “a frill is exquisitely washed,” &c. &c.; if not—if, indeed, “your own valet or your *mistress* does not superintend your “lavations,” &c., &c. Without the solemn authority of Mr. Bulwer, we should have thought that “a gentleman” left these details of his toilet between his valet and laundress.

Exhibiting his accomplishments in horsemanship, he describes a gentleman’s well-appointed groom “half off his seat, with “his head hanging down, and clinging to the mane.” A groom upon a plunging horse abandon his reins, and cling to the mane, like the tailor riding to Brentford! and in this attitude, “in imminent danger of being *dashed to pieces*,” without (for any thing that appears) a precipice, or even an inclined plane, within a mile of him.

By way of farcical incident, Mr. *Pelham*’s French peda-

gogue—whose services by the way merited no better treatment at his hands—is suspended from a window at midnight, in a basket; and a woman is locked up in a closet with a monkey! In fine, by way of opening the tragic springs of terror and pathos, the story winds up with the melodramatic horrors of a violence too brutal to mention, and a vulgar murder—which form the escort of a certain misanthropic Sir Richard Glanville.

Whether the beauties of *Pelham* redeem its blemishes, or its blemishes overlay its beauties, we will not decide; but we willingly admit that the dialogue is often lively and entertaining; that there is often truth and shrewdness in the observations and traits of social manners and character, and that if *Pelham* often offends, it never wearies.

We have said so much of this novel, that we must pass very rapidly over the author's remaining works. The chief novelty is in the prefaces with which he has introduced some of them in Mr. Colburn's cheap republications. He professes to give a sort of poeticks of novel writing, illustrated by his own—and thus, like his predecessor in critical legislation,

“ He is himself the great sublime he draws ”—

Of *Pelham*, the alpha and omega of his visions of immortality, he says, “ that being still read, and still alive, at the end of six years, it has a very tolerable chance of being still read, and still alive, at the end of sixty.” Without disputing the chance, we demur to the grounds. He refers to the cheap series—or, as he calls it, the edition of 1835,—but let him pause for an instant upon the company in which he is thus alive,—and the means. Are all the travelling companions given him by Mr. Colburn, to share his “ pilgrimage to posterity ? ” Is the vitality imparted or sustained by the ingenious art of puffing, sure to last so long ? A tablet setting forth the beauties of *Pelham* in letter-press, and of Mr. Bulwer in profile, conspicuously suspended in that great monument of modern civilization—the omnibus—wafts both names from Paddington to Whitechapel, and makes them known to the miscellaneous amateurs of that popular conveyance, between the termini of those sundered regions. We suppose, by the bye, that the hint of being made known to fame by this

ingenious method, was taken from Horace's criterion of notoriety :

" *Omnibus et lippis, notum et tonsoribus esse.*"

But it is one thing, that the renown of an author should travel from Paddington to Whitechapel, and *vice versa*,—another, that it should reach the next generation.

" It often happens to me," says Mr. Bulwer, " to be consorted by persons about to attempt fiction ;" and again, within two or three pages, he alludes to " those aspirants who are now often pleased to write to me." To enlighten " those aspirants," and the public at large, he prints or reprints the embryo which was ultimately matured into Pelham. To show the improvement of his taste, we will give an example in passing. In the sketch or study, he says, " Just at this time Seymour Conway had caused two divorces, and of course, all the women in London were dying for him—he took a fancy to my mother," &c. In the finished picture it is, " My mother looked so charming as a sultana, that Seymour Conway fell desperately in love with her." He next describes his laborious study " of the great works of his predecessors"—the canons or rules which he derived from them for his guidance ; and, lastly, he characterises or classifies the various *chefs d'œuvre* which he has produced.

There are, first, the two great divisions of " the narrative or epic fiction," (it seems that " narrative" and " epic" are synonymous in the vocabulary of Mr. Bulwer,) and the " dramatic." He does not define the " narrative or epic ;" it would be difficult, indeed, to find a common definition for two things essentially and widely different. But he promulgates, that " passions" constitute the " purely tragic," and " humours" the " purely comic." Then the avarice of Harpagon is not a passion but a humour ! After glancing over the long gallery of novellists, from the Greek romances, " with the masterpiece of Apuleius, their chief ornament," (we deny, but will not stop to argue this dictum,) he comes down to the " Cassandras," and " Clelias," Horace Walpole and Mrs. Radcliffe, the Misses Porter, who are " deficient in character," Miss Edgeworth, who " does not mystify her readers," and whose " Mrs. Beaumont, the Manceuvring, and Murad the

Unlucky, are of the same school of intellect that produced "a Tartuffe! and Monsieur Jourdain!" &c. &c. &c. [shade of Molière, of genius, and of wit!!!], until he comes to "the dramatic of recent date, chiefly illustrated by the works of Scott, Cooper, and Victor Hugo"! We are not indiscriminate admirers of Scott; but we put it to any judicious and informed reader, whether these two writers are worthy to approach Scott, except to hold his stirrup? We have already referred to Scott, as a moralist, in his works of imagination, and will only add here, that there is one pervading attribute of his genius and writings which we have never seen developed or dwelt upon—the lofty and unclouded station of mind from which his superior reason looked calmly down upon the busy hive of human life, in the commotion of its passions and infirmities.

Mr. Bulwer having disposed of "his great predecessors," comes to what he calls "those insignificant writings" (his own) with a modesty which cannot be too much praised for the total absence of affectation,—and an inconsistency with the tone of his observations,

"Which would have made Quintilian stare and gasp."

Having laid it down that "the narrative fiction" takes two shapes, "the satirical and the metaphysical," which may be both called "the philosophical," he discloses the hitherto undiscovered secret, that "scarcely any one of the romances which he has woven together resembles its neighbour;" that "in Eugene Aram," and "The last Days of Pompeii," he has "attempted the dramatic fiction;" "in Pelham and Devereux, the narrative form of fiction;" that, in "Paul Clifford, a social and political satire, he willingly sought exaggeration or burlesque;" and, "lastly, in The Disowned, the metaphysical novel, which Germany has made illustrious."

But unhappily the readers, and even the critics, were sadly puzzled and at fault, until Mr. Bulwer himself revealed the secret of the various genera. They took the irony of Pelham for foppery and vapidty, the burlesque of Paul Clifford for senseless exaggeration, and the metaphysics of The Disowned for *Galimathias*,—until the painter wrote under his pictures, "this is a dog,"—"this is a lion." It is obvious that either the readers and critics had not

a particle of discernment, or that the author signally failed in the execution of his own intentions. We incline to the latter solution of the difficulty. No reader, however dull, mistakes the allegory and the irony of the "Tale of a Tub," or charges extravagance upon the outrageous improbabilities of "Gulliver's Travels," "Micromegas," or "The Princess of Babylon." The reason is, that the authors had powers equal to the execution of their conceptions, and were writing in their natural vein. Mr. Bulwer's ambition exceeds the versatility of his powers and compass of his faculties. Writing *invita Minerva*, he throws away his real resources, and consoles himself with vain complainings that people do not sound his depths.

Mr. Bulwer, a clever mannerist, neutralizes his advantages by abortive straining, after the various and versatile; and this is nowhere more flagrant than in his two latest novels. The subject of Pompeii—the thought of resuscitating by the magic of imaginative and dramatic eloquence, that "city of the dead" was a noble inspiration,—and there are gleams of fine fancy in the design or drawing; but unhappily the execution is sometimes over-wrought and exaggerated, sometimes negligent and crude; the colouring too often wants truth and taste, and offends by glare and contrast. Arbaces, the Egyptian, intended, we presume, for the chief personage of the drama, is one of the most striking, and might have been finished into one of the best, creations of modern fiction. An atheist, an astrologer—a philosopher, a charlatan—an animal sensualist, a visionary dreamer; these variously opposed, but not inconsistent, springs of emotion, action, and character, required only a severer taste and chaster style to be subdued into a *chef d'œuvre* of poetical portraiture. But in the variety of tones there is no harmony; the traits are over pronounced out of all probability and keeping; the metaphysical runs into nonsense, or the enigmatical; the energetic and grand, into exaggeration and hyperbole. Speaking of priestcraft (he is an archpriest of Isis), he says, "I ride over the *souls* that the purple *veils*." Riding over *souls*, and those *souls clad* in purple, is the very luxury of the Della Cruscan. We prefer the explicit audacity of the Capuchin confessor of the Queen of Spain, addressing the Spanish minister,—"Remember," says he, "that you speak to one who has your God between his hands, and your

"sovereign at his feet every day." Again, Arbaces, as a sensualist, says, "From the young hearts of my victims I draw the ingredients of the cauldron in which I reyoung myself." This is classic allusion and metaphor put to the torture. A few pages further on, he utters an apophthegm worthy of Bacon—"The ignorant and servile vulgar must be blinded, to attain their proper good—they would not believe a maxim—they revere an oracle." But soon after we are told, that the *character* of Arbaces was one of those intricate and varied *webs*, in which even the *mind* that *sate* within it was sometimes confused and perplexed. *Character*, a *web*,—and the *mind seated* within! What a far-sought and heterogeneous conceit!—What an image for a painter! "With a loud and exulting yell, Arbaces brandished the knife on high—Glaucus gazed upon his impending fate with unwinking eyes." It was necessary for the purposes of the author to arrest the blow, and he does so most melodramatically, by calling in on the instant—a shock of an earthquake!—which he describes as follows:—

"At that awful instant the floor shook under them with a rapid and convulsive throe; a mightier spirit than that of the Egyptian was abroad—a giant and crushing power, before which sunk into insignificance his passion and his arts—It woke—it stirred—that dread demon of the earthquake, *laughing to scorn* alike the magic of human guile and the malice of human wrath. As a Titan on whom the mountains are piled, it roused itself from the sleep of years—it moved on its Dædal couch—the caverns below groaned and trembled *beneath the motion of its limbs!*" &c.

The sublime of melo-drame and of Sir Richard Blackmore could not surpass this. But we are forced to say the whole merit is not Mr. Bulwer's—He has but given a paraphrase in prose of the following French mock heroics:—with the school of criticism to which Mr. Bulwer belongs, it will, doubtless, pass for the sublime—

"Ce mont si merveilleux en Sicile placé  
 "Sous qui gémit le corps d'Encelade oppressé,  
 "Vomissant des brasiers de sa brûlante gorge,  
 "Ce tombeau d'Empedocle, où Vulcain fait sa forge,  
 "Ou Bronte le nerveux, cet enfumé démon," &c.

The compliment to these verses which immediately follows, is no less applicable to the rival prose of Mr. Bulwer, whose "intuitive spirit infuses antiquity into ancient images."



“ Que cet homme est savant dans l'antiquité,  
 “ Il sait mêler la fable avec la vérité,” &c.

The mere horrors of the earthquake would not alone suffice to arrest the arm of Arbaces; “ the sable *head* of the goddess “ *tattered* and fell from its pedestal, and, as the Egyptian “ stooped above his intended victim, right upon his bended “ form—right between the shoulder and the neck ” [this particularity is Homerick], “ struck the marble mass.”

This personage revives, and has a dream ominous of the awful catastrophe—not wholly free from conceit and hyperbole, but imagined and wrought out with great power and eloquence. He has a confederate dupe, the Saga (witch) of Vesuvius, pourtrayed in Maturin's worst and most revolting style of novel painting. “ The very image of a corpse—the glazed and “ lustreless regard, the *blue* and shrunken lips—the drawn and “ hollow jaw—the dead lank hair of a pale grey—the LIVID “ GREEN ghastly skin—all *tinged* and *tainted* with the “ grave.”

We have said that Mr. Bulwer is a mannerist—his cast of thought, and style, and character, the same in the “Adventures “ of a Gentleman,” and “ the Last Days of Pompeii.” A few words of the second chapter as a specimen will suffice. Glaucus, a young Athenian, the rival of Arbaces in the book, and the *beau idéal* of a fine gentleman at Pompeii, talks the following ?:—

“ It was but the other day that I paid a visit to Pliny. He was sitting in his summer-house writing while an unfortunate slave played on the tibia. His nephew (Oh, whip me such philosophical coxcombs) was reading Thucydides' description of the plague, and nodding his conceited little head in time to the music, while his lips were repeating all the loathsome details of that terrible delineation. The puppy saw nothing incongruous, in learning at the same time a ditty of love and a description of the plague.

“ ‘ Why they are much the same thing,’ said Clodius; ‘ so I told him, in excuse for his coxcombrery. But my youth stared me rebukingly in the face, without taking the jest [we have seldom met a jest more vapid], and answered that it was only the insensate ear that the music pleased; whereas the book (the description of the plague, mind you) elevated the heart;—‘ Ah!’ quoth the fat uncle, wheezing, ‘ my boy is quite an Athenian, always mixing the utile with the dulce.’ Oh! Minerva, how I laughed in my sleeve.”

Few educated readers, we believe, knowing any thing of the elder and the younger Plinies—(and what well-informed reader does not know and reverence them for their virtues and their writings) can peruse the above passage without retorting upon

Glaucus and Co. (we borrow this mercantile phrase from Mr. Bulwer), "*Oh, whip me such philosophical cowcombs ?*" It is the flippant dandyism and factitious vivacity of Pelham in his worst style. Mr. Bulwer, in his own person, pronounces Pythagoras "*an exceedingly clever man, but a prodigious mountebank.*" This, we think, is somewhat too disparaging of the merits of the philosopher of the golden thigh.—But such is too often the way in which one "*exceedingly clever man*" judges another. Again, the good-natured epicurean Sallust is but the good-natured gourmand Lord Gulestone. The only difference throughout is that of stage decoration and dress. The Stultz coat is exchanged for the toga or the tunic; the dining room, dressing room, and the clubs, are exchanged for the cubiculum, the triclinium, and the thermæ. There are the same mannerisms or Bulwerisms of phrase.—For "*dearest Lady Babbleton,*" "*beautiful Lady Roseville,*" the habitual interpellations of Mr. Pelham to the ladies of his acquaintance, we have "*delightful Julia,*" &c. "*Slaves, bring in water with myrrh and hyssop to finish,*" Mr. Bulwer's unlucky and everlasting "*lavations.*" Neologisms in defiance of all propriety, as "*gold and jewels, seemed prodigalised all around ;*" he hoped that she "*would confuse* (confound) the owner with the possession;" "*the enamoured couplets of Tibullus ;*" "*the fierce and lurid passions ;*" "*the smile of Lydia or Chloe flashes over our veins :*" these and similar offences committed with gratuitous wantonness against taste, are of frequent occurrence. In another place, not only is the blood flame but the "*veins*" are "*scorched.*"

" They will be teaching me the classics next, as they appear half inclined to do when they refer to the last days of Pompeii," says Mr. Bulwer, in the deplorable effusion to which we before alluded. Mr. Bulwer is doubtless as confident of his Latin as of his French. We will only suggest to him, with all humility, on the authority of Plautus and Terence, to substitute for "*per Hercle*" as an expletive in conversation, "*Ercle,*" or "*mehercule ;*" "*avertant Dii,*" for the anglo-latinism of his own making, "*Dii avertite omen ;*"—to put "*fauces,*" not "*faux !*" as latin for "*a passage ;*" and not to plume himself upon a shew of erudition which might be found in Adams's Antiquities, and the Traveller's guide book, at Pompeii.

Nydia, the blind girl, is beautiful and touching; but in her childish form and devoted passion—in all but her blindness,—she is one of the many copies from the dancing girl in Goëthe's *Wilhelm Meister*; and her blindness is only in description—her ideas are those of sight. Substituting one phial for another, she ascertains the similarity of *colour*; and, upon the mention of “a cloud hung over Vesuvius,” she suddenly utters the following speculation on the subject: “I have heard that a potent witch dwells amongst the *scorched* caverns of the mountain, and *yon* cloud may be the *dim shadow* of the *dæmon* she confers with.” A “metaphysical” novelist should have thought more of the ideology of the blind. If he did not hold the French philosophers in such supreme contempt, we should solicit his attention to Diderot's *Lettre sur les aveugles*.

Mr. Bulwer especially values himself, in his preface to “*Pelham*,” upon his personal knowledge of character and manners in the extremes of high and low life—from St. Giles's to St. James's—and with, as he enigmatically expresses it, “the intuitive spirit which infuses antiquity into ancient images,” he exhibits the same extremes as they existed 1800 years since, by resuscitating the company of “a flash house” (his own term), frequented by the gladiators—and of a villa frequented by the best company of Pompeii. We will not cite the former—it is but brutal savagery, exaggerated to hyperbole;—it would be unjust to Mr. Bulwer, not to give a specimen of the latter:

“The widow Fulvia and the spouse of the *Ædile* were engaged in high and grave discussion.

“‘O Fulvia! I assure you that the last account from Rome declares that the frizzling mode of dressing the hair is growing antiquated; they only now wear it built up in a tower like Julia's, or arranged as a helmet—the *Galeria* fashion, like mine, you see; it has a fine effect, I think. I assure you, *Vespius* (*Vespius* was the name of the *Herculaneum* hero) admires it greatly.’

“‘And nobody wears the hair like *yon* Neapolitan, in the Greek way?’

“‘What, parted in front, with the knot behind? Oh no! how ridiculous it is! It reminds one of a statue of *Diana*! Yet this *Ione* is handsome, eh?’

“‘So the men say, but then she is rich: she is to marry the Athenian, I wish her joy. He will not be long faithful, I suspect; those foreigners are very faithless.’

“‘Ho, Julia!’ said Fulvia, as the merchant's daughter joined them, ‘have you seen the tiger yet?’

“‘No!’

" 'Why all the ladies have been to see him. He is so handsome!'

" 'I hope we shall find some criminal or other for him and the lion,' replied Julia; 'your husband' (turning to Pansa's wife) 'is not so active as he should be in this matter.'

" 'Why, really, the laws are too mild,' replied the Dame of the Helmet, 'there are so few offences to which the punishment of the Arena can be awarded; and then, too, the gladiators are growing effeminate. The stoutest Bestiarii declare they are willing enough to fight a boar or a bull, but as for a lion or tiger, they think the game too much in earnest.'

" 'They are worthy of a mitre,' replied Julia in disdain."

This hit at the mitre is made intelligible to the unlearned, by the following prodigiously sarcastic note:—

" Mitres were worn sometimes by men, and considered a great mark of effeminacy—to be fit for a mitre was therefore to be fit for very little else!—It is astonishing how many modern opinions are derived from antiquity. Doubtless, it was this classical notion of mitres that incited the ardour of Mr. Rippon to expel the bishops. There is a vast deal of wickedness in Latin."

It is a frequent error of Mr. Bulwer to disenchant the fiction of its illusion by intruding himself, and a less pardonable offence to do so by intruding the vulgarities of the party politics of the hour. In another passage he makes Pansa, the *Ædile*, say, "It was a most infamous law—that which forbade us to send our own slaves to the wild beasts;—not to let us *do what we like with our own*. That's what I call an infringement on property itself."

But, to resume the polite conversation——

" 'Oh! have you seen the new house of Fulvius, the dear poet?' said Pansa's wife."

" 'No; is it handsome?'

" 'Very, such good taste; but they say, my dear, that he has such improper pictures. He won't show them to the women; how ill-bred!'

" 'Those poets are always odd,' said the widow. 'But he is an interesting man, what pretty verses he writes; we improve very much in poetry, it is impossible to read the old stuff now.'

" 'I declare I am of your opinion,' returned the lady of the Helmet, 'there is so much more force and energy in the modern school.'

" The warrior sauntered up to the ladies.

" 'It reconciles me to peace,' said he, 'when I see such faces.'

" 'Oh! you heroes are ever flatterers,' returned Fulvia, hastening to appropriate the compliment specially to herself.

" 'By this chain, which I received from the emperor's own hand,' replied the warrior, playing with a short chain which hung round the neck like a collar, instead of descending to the breast, according to the fashion of the peaceful—'By this chain you wrong me; I am a blunt man, a soldier should be so.'

" 'How do you find the ladies of Pompeii generally?' said Julia.

" 'By Venus, most beautiful; they favour me a little, it is true, and that inclines my eyes to double their charms.'

“ ‘ We love a warrior,’ said the wife of Pansa.

“ ‘ I see it; by Hercules, it is even disagreeable to be too celebrated in these cities.’ ”

“ From the sublime to the ridiculous,” said Napoleon, “ there is but a step.” It may be said that there is also but a step from Mr. Bulwer’s to Swift’s “ Polite Conversation,” or to that of the accomplished Carolina Amelia Wilhelmina Skeggs.

We will not say that the subject of this work was too grand for Mr. Bulwer, and we think that it is sometimes treated by him in a manner worthy of its grandeur. But we would submit to him that his design was too vast—that he should have wholly omitted, for instance, the digressive parts of the infancy of the Christian faith. Hence the great want of unity and co-ordination. Another cause of its blemishes is the want of mature revision and self-distrust. Hence, independently of his incorrigible mannerisms, the many inequalities and crudities of his performance. Something also may be placed to the account of that capricious flagging of the imagination which he states himself to have occasionally felt. He cannot state even this without a most overweening touch of egotism, which tends to mar the reader’s more favourable and admiring impression at the very close of the book. His, he says, is “ a life, in the web “ of which has been woven less of white than *the world* may “ deem.” How the world—the admiring, envying world—may be mistaken! The author of “ Pelham,” and “ Pompeii,” has his sorrows!!

We have space to bestow only a word in passing upon *Rienzi*. It strikes us not only as a failure, but as necessarily such from the avowed purpose of the author. He would rescue the character of *Rienzi* from the injustice done to it by Gibbon and Sismondi—and “ of the two,” he says, “ I own “ that I think Miss Mitford more just than Gibbon.” This preference is decisive of Mr. Bulwer’s chances of success.—Here are two historians who treated the subject with diligent and various research, and with the lights of learning and philosophy—who examined the contemporary evidences and cited their authorities,—put out of court by a lady who has composed a tragedy which succeeded on the stage, and by a popular novelist.

“ In a quarter of the city,” says Gibbon, “ which was

“inhabited only by mechanics and Jews, the marriage of an innkeeper and a washerwoman produced the future deliverer of Rome.”

Mr. Bulwer not only sinks the condition of Rienzi's parents, but makes him the illegitimate fruit of an amour of the Emperor. This poetical or romantic defiance of a notorious fact—a fact essential, moreover, to the historic delineation of Rienzi's character—is consistently followed up through the tribune's career. Instead of a personage combining the rude vigour of the middle age, with the fresh enthusiasm of reviving literature—catching visions of Roman greatness as well as inspirations of Roman eloquence, from the pages of Livy and Cicero—and failing or falling through his own inaptitude or insufficiency for the difficulties of his position,—we have a sort of drawing-room fine gentleman, in ambition, literature, and statesmanship, deserted or betrayed by the blindness of the populace and the ingratitude of the people. If Mr. Bulwer had not protested against being identified with his personages from Pelham to Rienzi, we should conclude from the tone of this, his last novel, that he was about to withdraw his patronage and his patriotism from the ungrateful people in disgust.

The favourite heroes of Mr. Bulwer among his own creations—those which he makes the vehicles of his social or satirical philosophy, as Pelham—those which he clothes with his own accomplishments, and animates with his own aspirations, as Glauco, and his Rienzi (not the Rienzi of Gibbon, of history, and of nature \*), those, in short, which he seems to pourtray *con amore*, and gaze on as his triumphs of art, want masculine robustness. They have a certain feminine cast of thought and imagination—a certain feminine affectation of the graceful and glittering.

Of the distinguished female novel writers of the age, the most like Mr. Bulwer, in all that constitutes intellectual stamina, as well as manner, or a school, is, in our judgment, Lady Morgan. A parallel between two such writers merits, and admits of being pursued more in detail and more elaborately than

---

\* We have before us, while we write, a MS. memoir of Rienzi by the late Mr. Butler, who studied the records of the middle age as a jurist and a scholar, and we find his views agreeing essentially with those of Gibbon, or rather confirming those of the illustrious historian.

we have leisure or ability to do. We will only observe, that Lady Morgan, like Mr. Bulwer, is a mannerist. The same peculiar cast of thought and fancy, or, if we may so express it, of mental vision, in contemplating real and creating imaginary objects, may be traced in all her works, from "The Wild Irish Girl" to the "Princess," including her "France" and her "Italy,"—as in Mr. Bulwer's works, from "Pelham" to "Rienzi,"—his "England and the English," and his "Student" included. But Lady Morgan's mannerism is her own, whilst Mr. Bulwer's is partly his own and partly Lady Morgan's. When Lady Morgan exhibits her personages in dialogue, there is in her manner and language a certain indefatigable, ungovernable vivacity, and a certain hardihood in the freedom and familiarity of her phrases. She exhibits a gallery of *fantoccini* in action,—but the masks are so droll, the wires are pulled with so much ability, and the evolutions are performed with such amusing cleverness, that Mr. Bulwer's rival show could not, we think, stand more than about a New Burlington-street season's competition for popularity. His personages are sometimes extravagant and grotesque enough, but their motions are forced and stiff—their language is stilted and sesquipedalian at one moment, and of the most pedestrian homeliness at another,—with an utter disregard of taste and consistency. It is unnecessary to add any further specimens to those we have given, of Mr. Bulwer's vein in the hyperbolic; but we confidently affirm that, though Lady Morgan's language be sometimes ambitious, it never runs into his exaggerations and enigmas; and that though her style be sometimes what may be called "free and easy," she would not represent the *Ædile*, or one of the *Ædiles*, of Pompeii, with his curule chair associations—"fidgetting fussily,"—or expose the ladies of Pompeii, as in the extract before cited, conversing at table, in so loose a way, about an amateur's private cabinet of pictures;—though we are quite sure, from Lady Morgan's known taste and curiosity in the fine arts, that her imagination is as familiar as Mr. Bulwer's with the curious exhumations of Pompeian *virtù*. Mr. Bulwer doubtless adopted from Lady Morgan the habit of garnishing his dialogue with scraps of French; but Lady Morgan's phrases are well placed and idiomatic, whilst Mr. Bulwer wantonly intrudes, without pro-

priety or reason, the most heterogeneous Anglo-French malformations imaginable. "The miracle is, that it (the Belgian "revolution) has gone on so long," said the princess—"three "years *bien sonnés! Je n'en reviens pas.*" Mr. Bulwer could not hit off these two conjunct idioms, though he laboured till the day of judgment. We would hazard the opinion that they were improvised by Lady Morgan. Mr. Bulwer affects her clever and amusing way of showing off the ridiculous or weak side of individual character, but wholly fails when compared with his prototype—always excepting the preface before cited, in which he has exhibited himself.

When Mr. Bulwer aspires to the philosophical in his novels, he but follows in the wake of Lady Morgan. The aim of her *O'Donnell*—a novel, by the way, to which we have heard the praise of versatile and uncommon talent conceded by persons who do not share the admiration which we profess for the genius of Lady Morgan,—the aim, we say, of her *O'Donnell*, was to teach the government of that day the wisdom of emancipating the Irish catholics; and in doing so, she combined satire upon manners with the philosophy of legislation. But her wit and satire are too bright and poignant—her philosophical purpose is too transparent to be missed by the reader, however slow of apprehension; whilst Mr. Bulwer, in order to make his readers apprehend the irony of "*Pelham*" and the "*metaphysics*" of "*The Disowned*," has been under the humiliating necessity of writing "*lion*" under his performances.

The works professedly philosophical of Lady Morgan and Mr. Bulwer—as the "*France*" and the "*Italy*" of the one, and the "*England and the English of the other*"—do not come within the scope of our observations, however curious might be the parallel; and of Lady Morgan's last novel we will only say, that we recognised in it with pleasure, her peculiar touches of wit and ridicule—her perception of character and manners—her shrewdness, and keenness of observation; but that we thought the protean or cameleon disguises and adventures of the princess too violent—the amusing bye-blow Irish valet too strong a likeness of Humphry Clinker; that we could detect through a large portion of the work, too many reminiscences or notes of her tour in Belgium—too grateful a sense of the court festivities of



the palace of Lacken—in fine, that there is something too much of the *braves Belges* and their revolution.

Lady Blessington entered the arena of authorship—as a *débutante* sometimes appears upon the stage—with a great reputation for endowment and talents in private. Sketches and *jeux d'esprit*, in prose and verse, have long been floating her name through society, or through those bye streams of society called coteries. It is seldom that the judgment of the coteries is affirmed by the supreme court of revision, the public, and we find no exception to the rule in the *début* of Lady Blessington as a novelist. Her first novel—at least the first printed with her name—fell short of what was expected from her. The dialogue and incidents of low life in Ireland, and high life in London, were ill assorted, though both were faithful in their way—especially the vernacular Anglo-Irish dialect, which Lady Blessington writes with such correctness and purity as to set criticism at defiance; but she committed the fatal error of building her novel upon the most perishable of all foundations—the party politics of the day, or rather of the hour. Its very title, “The Repealers,” was a party clap-trap, and should have been disdained by her.

The next novel of Lady Blessington—that of which we have prefixed the title, is a higher and a happier flight,—and if we may so express it, re-habilitates her in the honours of her previous reputation. Instead of “Two Friends,” there is in the book “a pair of Friends,” to use Wordsworth’s expression, of either sex. The two young ladies, the one native British, the other transplanted from France, but naturalized, or anglicised, are distinguished by no strong contrasts, and both their characters are touched off with a certain delicacy, which is not without its charms, but borders too much on weakness. But the two male friends, who doubtless supply the title, are drawn with no common talent and felicity, not only in their contrasts and oppositions as *pendants* to one another—but taken each separately as an individual portrait. One is characterized by manly ambition and generous philosophy as a politician and patriot, undergoing the martyrdom of the oppressive atmosphere, and no less oppressive oratory of St. Stephen’s, to vote at six in the morning with a hopeless minority for the hap-

piness of the human race,—the other, a scion of nobility, who, with equal devotion, spends his days and nights, and his father's thousands, in a constant round of dissipation and frivolity. Two such personages might appear, at first sight, divided by a sort of electric repulsion. Lady Blessington unites them in an affectionate friendship. She blends with the severity of the one a fund of indulgent sensibility,—with the frivolity of the other a latent spring of manly purpose and benevolent feeling—and their friendship is only the more probable as well as pleasing from opposition of character.

Their characters are preserved or rather developed, through a variety of scenes, with skill and interest. They are of course the lovers respectively of the two young ladies,—are of course subjected to the usual pains of separation and despair,—the one by an elopement with the wife of one of his friends, the other by shooting (not mortally) the brother of his mistress, whilst doing duty as an amateur liberal at Paris in the revolution of the three glorious days—they rejoin their mistresses in Italy, with somewhat too much of melodramatic surprise,—come to an understanding the more easily, that the man of pleasure had disengaged himself from his partner in the elopement, and the wounded brother was alive, well, and present on the spot,—receive the nuptial benediction, and pair off like other married people.

There are several subordinate characters well marked without exaggeration, and well grouped. The French emigrant noble is excellent,—his jaundiced prejudices, personal and national, making out their case with an ingenuity truly comic,—his selfish vanity even in his last will,—his hotel, household, and equipage, sketched with graphic truth. Perhaps it might be objected that he is too stiff and stately for a Frenchman.

We think at the same time that Lady Blessington, in two views of Parisian character and manners, has fallen into a serious anachronism as to the one, and been wholly mistaken and unjust in the other. She conjures up a mutiny in the household of the aristocrat noble of the Faubourg St. Germain, during the explosion of 1830, in the colours and costume of the *sans-culotterie* of 1793. When she represents a French lady reproving any signs of emotion in her heroine, as *mauvais*

goût [*? mauvais ton*] and *cutting* some acquaintance whose toilet was not in the mode, with the exclamation, "I was "horrified lest any of my acquaintances should have "seen us;" her strictures we think are strangely misplaced. We should say that French ladies are, on the contrary, distinguished by the frankness with which they express their thoughts and discover their emotions, whether in public or private,—and by their having too undoubting a consciousness of their own rank and dignity to think either could be mistaken or compromised, from their being seen speaking to persons whose dress or manners may be unfashionable or vulgar. Had Lady Blessington looked nearer home, she might have been nearer the mark. We suspect that her notions of Parisian manners are overcharged traditions, not the result of personal observation, which perhaps she had not time to make during a passage or two *in transitu* to cross, or after having recrossed the Alps. We are the more convinced, from the tact and truth with which she hits off character and manners in Italy, where it is known she made longer sojourns. Alluding to the ruined fortunes of one of her personages, on the eve of a marriage to repair them, "it was not," she says, "made the "subject of conversation—nor was there a single wager made "on the *pour et contre* of the marriage taking place, nor did "she (the bride) receive a single anonymous letter from his " (the bridegroom's) enemies to warn her. This may seem improbable, but is nevertheless true—for *Italians have not "only less malice, but more indolence, than the English.*" In another place she says,

"In Italy, where certain sins—visited with an irretrievable loss of caste in England—are viewed without exciting any suspicion or severity of animadversion, they cannot understand that similar errors call down disgrace on the offenders in our country, which, considering it as the land of political liberty, they believe must be equally that of liberty in manners. Hence, when they see, as frequently occurs, some English Paria universally cut by her compatriots, they look on her with dread, because they cannot imagine, that for merely doing that which they do without concealment or reproach, she could be so severely punished. They therefore conclude, that her crimes must be ignominious to merit such ostracism, and they draw off from her in alarm."

It is unnecessary to illustrate this truth. The fair authoress might find similar anomalies in the social *paria* system

at home,—such as the notorious instances which she very well knows, of the truth of the common saying, that “one person may steal a horse, whilst another must not look over the hedge.”

There is a tone of charity, which we think excessive, in Lady Blessington’s treatment of social morals.—“Let us,” says she, “believe, that in half the liaisons to which guilt is attributed the *appearance* only exists.” This is amiable—but “half” strikes us as much too liberal an average. Lady Blessington, at the same time, inculcates the value of both religious and moral principles upon the sex with a zeal which cannot be too much commended. “What woman,” she asks, “can defy the snares of the wily archer, unless encased in the armour of religion and strict moral principle?” We answer, “None”—and we will add, that even this “armour” of the fair authoress is not always arrow proof. She seems sensible of this—and hence, doubtless, her indulgence on the one side to those who have unhappily fallen into the snare, whilst her counsels to those who would escape “the archer” and his wiles, are, if any thing, too straitlaced, and her piety too severe. Both are happily blended in the following moral with which the novel winds up. It refers to Lady Walmer, the eloped wife, who dies in Italy a penitent and a princess:—

“She made a will, bequeathing the whole of her fortune to the Marchioness of Heatherfield, as a slight atonement for the unhappiness she had caused her, and died a true penitent, giving in her last hours an example of Christian fortitude and piety, that we may hope was accepted in expiation of the errors of her life—errors that plunged her in shame and dishonour, and which owed their existence to want of religion and moral principles. She had thought of, and lived but for society, unmindful that it casts from its bosom the unhappy, and the erring, as a vigorous constitution repels contagious diseases. The past and the present were now unveiled to her dying eyes, robbed of all their illusions, and she turned from that world, which had hitherto been her idol, to fix her hopes on the mercy of *Him*, who can pardon those sins that *his* fallible creatures condemn without pity.”

There is not, in our judgment, any thing better than this in those evangelical novels of Hannah More, over which the late Mr. Wilberforce is said to have dropped tears. We could almost suppose, indeed, that the above and other strains of devotion in “The Two Friends,” were inspired by the *genius loci* of Gore House. At the same time, we should not be surprised if the great mass of profane or less pious readers,

who estimate talent, wit, knowledge of the world, and a charming style, stamped the character of "The Two Friends."

There are prefixed to the chapters some anonymous mottoes in French, whether from print or MS. we know not. Some of them are so literally applicable, that it might be suspected they were made for the purpose—and several of them would indicate a modern Theophrastus or Labruyère.

"The Devoted," Lady Charlotte Bury's last novel, has not, we believe, made as strong or as favourable an impression as her former productions. This was to be expected. It is at once more ambitious and more feeble than its predecessors—with more salient faults of character, thought, and expression. The heroine who confers the title, is "devoted" first to her brother—a likeness of Lord Byron, in which the attempt at literal fidelity, even to his deformed foot, is neither artist-like nor agreeable,—and next to a clergyman, who is at once saint and lady-killer, and neither returns nor knows her passion, whilst she "lets concealment, like a "worm," and so forth. The reverend swain and the infidel brother are both enamoured of a brilliant and ambitious beauty, who sacrifices her admiration of the poet, her passion for the saint, and her real happiness, to a marriage of pride, and the wishes of her father—one of the most unamusing pieces of parchment lordliness, and pompous etiquette, which it has been our fortune to meet in the world of novels. There are, besides, a villain in low life, whose wickedness in the beginning, and misery at the end of his career, are owing to "an "education above his station" (see the cruel consequences of the diffusion of knowledge) and a Jew, who half-starves himself in the midst of his money bags,—which he ultimately bequeaths to the poet, for no other "consideration," than his having voted for the Jewish disabilities bill. His having voted for the Brighton railway bill would have had a more imposing air of poetical probability. There are many and obvious blemishes in this performance. The principal one is the hermaphrodite character of the dandy saint, who breathes the ecstasies of his passion to a lady in the language of the "Evangelical Magazine," and strives to overcome his frailties with a pious infirmity of purpose and sanctimonious insipidity of phrase, which nauseate like excess of sweets.

Lady Charlotte Bury is displeased with the state of politics

at home and abroad. Reform is but "the froth and scum of the would-be patriots;" and referring to one of her personages, she calls him "a monarch who rules over the regions of fashion, not as monarchs rule *now-a-days*, with *no power at all*, but *virtually*, (?) despotically, and effectively," &c. See the wickedness of those liberals and constitutionalists of Europe, who would curtail the power of monarchs,—innocent souls! who have never shown a disposition to abuse it. She complains of the same revolutionary spirit in literature. "Are you not aware," says her Byron-Delamere, or Delamere-Byron, "that all the high things of the earth are cast down? If I wrote a poem like Milton, would it be read?—If a work of fiction like Bulwer!!! would it be understood?" Milton and Bulwer—Pelham and *Paradise Lost*!—This defies comment. It would yet be no less easy to select beauties from this novel; but the blemishes are isolated spots, whilst the beauties are more diffuse, and could not be felt without longer extracts than we have space for. There are in every page the traces of an elegant mind and refined taste; fancy and feeling, if not imagination and passion—a happy perception and pleasing delineation of social manners and natural scenery, and an engaging unaffected style, with, however, some few expressions which were not to be expected from a person of the writer's literary attainments.

Mrs. Norton's "Woman's Reward," her chief novel or tale, and no more than a sketch, has a marked coincidence in subject with Lady Charlotte Bury's "Devoted." The coincidence was doubtless undesigned and accidental in both—and the characters and incidents are not only different in themselves, but bear the impress of minds of a wholly different stamp. We intend by this an essential difference of intellectual character, not a comparative estimate of the respective talents. Mrs. Norton revived the hereditary associations of genius in her family by a poem of great beauty. Her sudden and dazzling popularity has proved injurious to the exercise and reputation of her talents. She entered the arena of *professional* literature, and under the strong temptation of turning fame into something more solid, and not less shining, she has frittered away her versatile powers in fragments and sketches—prose and verse.

We look upon the two stories which club to eke out the circulating library measure of three volumes, rather as indications than examples of what she could produce,—but indications of her power to produce a novel of the first order. We do not know a scene of more touching simplicity and beauty than the invalid merchant's chamber at Madeira, with which the first tale opens. Whether reminiscence mingled with imagination, we do not know. The brother and sister are contrasted by glimpses which wake an interest at the very threshold for the progress of the story—and the following observation—"a burst of passion is neither more nor less than a burst of selfishness," is the germ from which the intemperate, arrogant, and ungenerous egoism (if we may use the word) of the brother, is developed through the succeeding pages. We could as easily cite what we consider errors and defects in these two stories, but reserve ourselves for the appearance of a work of fiction in prose, more comprehensive, more finished, and more worthy of this highly endowed and accomplished lady.

Every body knows that Mrs. Gore is among the most clever and prolific novel writers of the day. She too is a mannerist. There is in her scenes at one moment the pretension of Mr. Bulwer, at another, the vivacity of Lady Morgan. There is in her numerous progeny of novels, from "The Fair of May Fair," to "Mrs. Armytage," great variety, rather than great versatility. Her writings are for the most part tales or sketches, and they bear the marks of being got through by a forced march, rather than with a spontaneous rapidity of invention. If the talents of Mrs. Gore be conspicuous and prominent, her offences are no less rampant. There is a perpetual effort for lively remark and satirical smartness. Her indefatigable volubility is as monotonous as drawing. The most monotonous and indefatigable of all agents is an automaton. The vitality of talent is subject to the alternations of excitement and languor. Again, she affects and obtrudes the knowledge of every thing under the sun of the social world, from the diplomatic notes of Talleyrand and Metternich to the Doncaster betting book of Jack Baltimore; from "Madame de Staël's beautiful explosions of eloquence" to those of George Robins. She is inoculated with the "Pelham" affectation of French phrases, and the vocabulary

of the French art of cookery. The following is a sample of the false-brilliant vivacity of her fashionable dialogue:—  
Scene a fête champêtre :—

"Gunter has not exerted himself to-day ;—the *coup de maître* is wanting ;—'Immortal Robert' has not found himself *en verve* this season."

"Gunter !—do you think the Ebury conclave so *banal* as to employ a person we may all have by paying for?—They sent for four *confiseurs* from the Rue des Lombards, and a *décorateur* from the Rue Vivienne !—Lord Stapylford allowed his own *glacier* to officiate (*un glacier en i, bien entendu*, who arrived from Milan last autumn), and all the *apprets, diabolins, and dragées* were forwarded by the ambassador's bag."

"They say the despatches were *bien sucrées*, in consequence ; and that two autographs dated from the *Bureau des affaires étrangères*, were quite a *brouillade* from being steeped in *sirop de cédrat*."

"Oh ! I can discern a very diplomatic acidity in these very *pralines* !—Lady Rachel, have not these wafers a sort of Talleyrandical *goût* ?"

"*Il me semble que vous cherchez de loin* !—I have very little doubt they borrow their odious flavour from the van of a Wimbledon carrier, and a truss of musty English hay."

"Grandville ! prythee catch the eye or the sleeve of that gaping monster of a *maître d'hôtel* ; and inquire whether our constitutions are to be endangered by peach-ice without a *chasse* ?"

This is a Pelhamism or Bulwerism of the first water. We suspect Mrs. Gore does not always understand herself ; and on that supposition we would advise her to drop "*chasse*" in this sense from her vocabulary. She introduces an American democrat regretting "the retardation of the march of *federalism* !" There are a few Italian expressions which might be demurred to, as "*età di oro*," instead of *secolo d'oro*." Here is another Bulwerism—"Blest age ! when our thrilling "hearts," &c. &c. "Why should this practical intensity ever "become diffused into the absorbing prose of ordinary existence ?" Again—"Oh ! we blindfold our children in their "infancy, and stimulate them by the hope of reward—by "the sugar-plums of selfishness—to walk uprightly over the "burning ordeal !" When she would be graphic, she but exhibits petty common places with microscopic minuteness—she opens her last novel as follows ;—"The post is late this "morning," said Mrs. Armytage, "having finished her *second* "cup of tea, and pushed away a *plate disordered with chip-pings of egg-shell and French roll*." We have a gentleman "sipping a cup of *weak* tea, with his pocket handkerchief—a "stout cotton article—protectingly outspread over his nether "habiliments." It was objected to Congreve, that he made all



his *dramatis personæ*, down to his footmen, wits like himself. Mrs. Gore does the same, with this difference,—that her wit is not exactly Congreve's, and that her offence is more glaring. She makes her personages talk in dialogue, not the language suitable or natural to them, but that in which she would herself speak of them, in the narrative parts of the story. Lady Annabell, the daughter of a duchess, says to her sister—“ Rely upon it, mamma intends to make him her fire-guard, as she did Wemmersley last season, whenever she wanted to interfere with our flirtations;” and this flagrant example of her own peculiar and most affected style she thus gives “ as an evidence of their ladyships' distinguished education in the art and science of modern manners!” We should recommend her to adopt a manner less ambitious and affected, less use of what she gives as the slang phrases of fashionable talk, and in general a more indulgent, or at least less exaggerated, exhibition of character and society. She spies, with more of malicious industry than ridicule or humour, into the infirmities of her own sex, and in her “ Mothers and Daughters,” gives monotonous, revolting, and unfaithful views of social intercourse, as a sordid, scheming game of match-making and envious rivalry. We must tell her, by the way, that the ladies of Ireland will not thank her for the compliment of making one of them her representative of slattern finery—and that they know how to avenge themselves. The faults of Mrs. Gore's manner are the more provoking, that they seem committed wantonly, to disfigure pages replete with talent.

---

#### ARTICLE VIII.

##### *Spain—The late Revolution.*

SPAIN, the country of chivalrous chimeras and of political errors, has now become a wide field of discursive and strange speculation for statesmen and parties. To all it presents an enigma, the solution of which every one imagines he has found, when he has explained the events which are agitating the Peninsula, in accordance with the interests of his government and his own political creed, or when those events appear to give confirmation to his own theory of social existence.

The combination of so many efforts, accidental or voluntary, has but too well succeeded in leading the public opinion astray upon this important question; we cannot but deeply regret their unhappy success.

From the time when the civil war first began to desolate the Peninsula, the important fact has, either by design or a deplorable fatality, been kept from view, that the question at issue beyond the Pyrenees is not a mere Peninsular one, but extends to Europe generally; that it is not simply a war of succession, or a political struggle; but that Spain is engaged in the arduous attempt to build up a new social order, the issue of which is incalculable. Shall we be so fortunate as to attain a deeper insight into the causes of this momentous position of affairs, than has been granted to those who have preceded us in the inquiry? We shall attempt it with some confidence, from having deeply studied the country of which we are about to speak, as well as the manners and the character of its inhabitants. Our opinion upon the progress of the regeneration of Spain is the result of a conscientious examination of facts, with which we feel ourselves to be thoroughly acquainted.

We have purposely used the term *regeneration*, in order to banish the word *revolution*; for the basis of our reasoning is this: that in Spain there is no revolution—taking the word in the acceptation generally received in political language. Let us not be deceived: the present crisis in Spain is not the sudden explosion of a train—of the hostility of one portion of society against another. It is a calm, dignified, decided manifestation of opinion by the active and reflecting masses of the people, against the folly, or the treachery, of the various administrations which have, during the three last years, succeeded one another in the conduct of affairs. An honourable and national feeling has caused the standard of the Constitution of 1812 to be again reared; and by this act, Spain has desired to protest against the constituent right exercised by the crown alone, and against the detestable foreign intervention of 1823. She has completely accomplished that which France only half effected in 1830, when the Government of July ratified the treaties of 1819. No one in reality upholds the inviolate maintenance of that Constitution, whose defects are so ap-

parent: but, we repeat, the one thing desired above all others, has been to destroy the crowning work of the re-actionary policy of the Bourbons of France, and of the monstrous treachery of Ferdinand VII. If evils—ever too numerous, whatever be their amount—have accompanied the repudiation of the past, let us not throw the blame on men who were yet to appear upon the scene, but upon the follies of those who failed to secure by their violence the expected reward of their apostacy. This deplorable result has been brought about by the secret and disgraceful intrigues of men who, while they marched under the shadow of power, assumed the mask of the old liberalism, and took as their watchword *principles*, to which they perpetually appealed, in order the better to blind those who never pause to weigh the words of men against their actions.

But before we enter upon the main question, we must regard it in its character and essence. The causes which deeply agitate a people are not those which present themselves to a superficial glance: they escape even the most penetrating observer, who would trace them to their source, and embrace them in all their extent. The changes of society, the displacement of social powers, the overthrow of forms of government, the fall of thrones, date further back than the contemporaries of these great political cataclysms, which we term revolutions, and proceed from causes far more remote than the one to which they are commonly assigned. In other words, events are of far greater magnitude than men generally are aware; and those even which appear to be the result of an accident, of individual interests, or of chance circumstances, have a much deeper source, and a widely different tendency.

The Spanish nation is divided into two great social masses, each of which has a different object in the regeneration which is now preparing—the reflecting masses, and the people. The object of the people is to individualise the provinces, aiming at a federation. Monarchical unity, the centralization of government, forms the organic scheme of the higher classes. It is to these that the last movement was owing, in which the people took little or no part. They advance with the progress of European ideas, and the people remain stationary in their unmixed nationality. One portion of society is eager to create

an order of things upon the model of France or England, whilst the other cherishes a secret desire for that of which they neither speak themselves, nor hear others speak ; resolved not to rush into the arena, so long as their aim is not understood, or, being understood, is not adopted as the basis of a new organization.

This, in our opinion, is the cause of that want of accordance which is observable in Spain between the Constitutional Government and a portion of the nation, and which contrasts with the unanimity of the Basque Provinces, fighting for their *fueros*. This it is which explains the apathy of some, the enthusiasm of others, and furnishes a reply to the astonishment constantly expressed at the indifference manifested by the masses of the people, under the action of the constitutional principle. These masses differ from the higher orders as to the object and the mode of effecting that regeneration, which all concur in desiring ; and if the two classes occasionally meet upon the common ground of resistance to Don Carlos, it is because there exists another tie which unites them—a common feeling of hatred against royal despotism, grown odious under the reign of Ferdinand VII.

This species of schism between the two great social divisions of Spain, one of which has in view a political object, whilst the other looks forward to a fundamental change, requires for its explanation but a very slight acquaintance with the history of the country. The Spanish people, who for ages were parcelled out—yet retaining everywhere their freedom—into the little kingdoms which constituted the empire left by Charles V. to his successors, have seen themselves rendered a prey to every species of evil by the union of the monarchy : their liberty, their protecting institutions, their commerce and manufactures, all have perished under that form of government. But the people have never ceased to protest against the yoke of servitude which it was attempted to impose upon them. The regret which those must have experienced who witnessed the extinction of their valuable municipal institutions, has been transmitted in all its original energy, as a sacred heritage, from generation to generation, even to the present day. From that time the compact between the unity of the monarchy and the people has never been either sincere

or national. There is something in the very bearing of that race of men, opposed to a passive obedience to authorities, whom they have never invested with power—either in the porch of the church, or in the general assemblies. All the efforts of the royal power to establish a strong and compact government have proved ineffectual before this love of local independence, and Spain even at the present day presents only the appearance of a large Mosaic, in which each piece has preserved its original colour. She is an assemblage of little republics, holding of a monarch, whose delegates, under the name of captains-general, exercise an authority which is always modified by the local spirit of the people. Hence the want of unity in the civil, judicial, and financial administration of Spain. That which an absolute monarchy was unable to effect by violence, the constitutional monarchy will not accomplish by persecution.

This struggle, which has never ceased to exist, has thus produced a constant and secret misunderstanding;—the origin of the misery and decline of Spain during three hundred years. We know of no other rational explanation; and it seems as if heaven had resolved to punish with sterility, that usurpation of the rights of the people by the absolute monarchical unity. The first scion of a centralizing dynasty was a mad woman, Jeanne la Folle; and after two hundred years employed by the Austrian family in torturing the people, in massacring and expelling the Moors and Jews in the name of a God of peace, and in destroying, one by one, all the municipal franchises, it came to a miserable close in the person of the imbecile Charles II. The dynasty of the Bourbons continued, and cruelly completed, the violation of all liberty, the destruction of all the substantial well-being of the country. This dynasty commenced its career by plunging the nation at once into a civil and a foreign war; in a civil war it is now once more involving the unhappy people over whom it reigns.

During this long period of three centuries, the Spanish character, though still unchanged, became torpid, and stifled the expression of its energies; its spirit revealed itself only by occasional acts of energy in the assemblies known by the name of Cortes: these we shall speak of when we come to the exa-

mination of the Royal Statute, which has just vanished at the first breath of popular discontent. But there was one occasion, when there was no longer a monarchy, no longer a central government; the royal family had abandoned the throne and the country, and the defence of their native land was confided to the inhabitants of each province. With what heroism, with what noble ardour, did they fly to the combat! As the people felt at their ease, while obeying the voice of the provincial juntas, they seemed to breathe for the first time freely the pure air of their mountains. What a noble spectacle did that entire nation present, rushing to arms in every district to repel the foreigner who came to civilize the land at the cannon's mouth! For six years she sustained the conflict with the imperial colossus; and though the war, like that against the Moors, might have continued for six centuries, her national character would still have remained uneffaced. No one has yet ventured to declare that the result would have been the same had the king remained in Spain. We may boldly assert, and it would be easy of proof, that the country would have been conquered, almost without striking a blow, with a central government and with Ferdinand.

From these historical examples we arrive at the conclusion, that the unity of government oppresses and crushes Spain; and not until the day shall arrive when it shall cease to oppress her, under one name or another, will she, like a spring long held down, recover all her elasticity. In our opinion, Spain can never attain her complete regeneration by being fashioned on a foreign model; nor will the people be rallied to this great social work, unless by consulting, better than has hitherto been done, its character, and even its prejudices, if attachment to the old institutions, provincial and municipal, merit that designation.

It requires some courage thus to put forth an opinion that must necessarily clash with the notions generally received, as truths of mathematical demonstration. But in treating of Spain, we endeavour to speak as Spaniards: we are bold historians, because we have been attentive and severe observers: the love we entertain for our fellow-creatures, and the sympathy we feel for this great and noble, yet unhappy, nation, have prescribed it to us as a duty, to study the causes of her evils, in order to depict and render them palpable. If we fall

short of our aim, it is that our powers will have proved inadequate; in that case we shall have the consolation of reflecting that we have exhausted them in our search after truth.

The events of the month of August, the re-establishment of the national code proclaimed in 1812, are necessary consequences of the faults committed in Spain during the three last years; but they have been ruthlessly condemned by those who do not take the pains of investigating causes, in order to explain their effects; hence the origin and repetition of so many errors. We shall take the liberty of analysing these events, in their relation to the history of Spain, and the national feeling of the people. We desire to present in its true light the character of this country, so invariably misunderstood and cruelly calumniated by the rest of Europe. Spain is depicted as savage, and yet a mighty revolution is in progress, without giving cause to deplore any other calamity than the death of three imprudent and unreflecting functionaries. She is accused of anarchy; yet she remains calm in the midst of the most wanton internal provocations, and the intrigues of all the European courts. Her tolerance is unlimited towards her enemies, who mock at and insult her, and towards those false friends who destroy her resources, and seek to exhaust her both from within and without. If, under these circumstances of general confusion, there occur, beyond the limits of the field of battle, any of those excesses, which are always to be deplored, but not always avoided, no insults or calumnies are spared to aggravate their complexion. The Spaniards of the present day are reproached for not submitting to expire in silence under the weight of miseries, which three centuries of unexampled disorder have entailed upon them. The language of eulogy is reserved for those alone who wish to perpetuate these abuses, after having assisted in degrading their country from the proud rank which she once held amidst the nations of Europe. It would be more worthy of us to afford aid and support to good men, labouring, encompassed with the greatest difficulties, to ameliorate the condition of a mighty people. Men destitute of talent and of honesty, traffickers in the public wealth, and apostates who basely abjure the whole of their former life, have been cried up, extolled, and supported; while we refuse to hear a word in defence of those ministers who boldly

seize the helm of government even in the moment of shipwreck. Whatever be the fate which awaits the Peninsula, never will the names cherished in Spain be confounded with those of the men whom she has repudiated, guilty as they were of the blackest treason. They who have not abandoned in despair the liberty and the independence of a mighty nation, will leave a great example; be they successful or unsuccessful, they will have merited well of their country and of the world at large.

The events of La Granja in September 1832, are well known. The apostolical party, then taking advantage of the last agonies of Ferdinand, caused him to revoke his will. The queen anxiously strove against this barbarous compulsion, practised on the dying monarch by men who prostrated themselves first at the foot of the throne to demand favours and money, and next before the altar to re-assure their consciences. On the first news of the illness of the king, the Infanta Doña Louisa Carlota hastened with all speed from the heart of Andalusia, to support the courage of her sister. That princess, endowed with a masculine energy, drove from the palace the ministers of these inquisitorial proceedings. Ferdinand breathed again; and dragged on his miserable existence for another year.

The Infante Don Carlos, that prince who is every day pictured to us as a model of valour, a *chevalier sans peur et sans reproche*, consented, with a trembling cowardice, to give the sanction of his name to the tortures inflicted before his face upon his brother and his king; but he lacked the courage to meet the eyes of an energetic princess,—he retired before her presence, and with him all his partisans. From this dark and gloomy family dissension issued the spark that was to light up a civil war,—a war in which so many victims have already perished, in which so many more yet remain to perish. From this day forward the queen shared in the exercise of the supreme power. She had already a presentiment of her future fate, and the dreadful struggle which awaited her in support of the crown of Isabella II.

Whilst the latter was called by all the fundamental laws of Spain to occupy the throne, to what do her enemies appeal in contesting her rights? The Salic law,—an historical lie. The Salic law has never existed; and we defy the partisans



of Don Carlos to produce in support of their pretensions, any thing more than the decree of a foreign despot, altering the law of succession,—because *such is his pleasure*: these are the express words of the decree issued by Philippe V., in 1713\*.

Maria Christina had rather an instinctive perception than a comprehension of her position. She felt that the crown of Isabella II., attacked by the apostolical party, would find its natural allies amongst those men who had always combatted for the national rights and the general liberty. Thenceforward her administration advanced timidly towards a new era, in which no opinion could be pronounced upon the future. Instead of assuming a frank and independent attitude, upon firm ground, they proceeded groping along the earth, which threatened to give way at every step.

Zea, the man of unalterable monarchies, was summoned to Madrid, at the time when Ferdinand in his first agonies abandoned the royal authority to the young queen. Scarcely had he seized the reins of state, when Zea openly manifested his intention of establishing an enlightened despotism; he freed himself of colleagues who shared not in his principles, and drew around him associates worthy of himself. His object was to put a curb on the independent spirit of liberalism; but at the same time he did not refuse to receive its submission.

On the death of the king, Zea renewed, October 4th, his bold declaration of war against innovations; but the spirit of innovation pressed upon him from all sides, and he himself sank under it, whilst he protested against it. Zea, who possessed more hardihood than political wisdom, had a firmness of purpose which circumstances eventually broke down. In his dreams of an enlightened despotism, Zea associated with himself one of the men against whom public opinion was most

---

\* *Wording of the decree of Philippe V. in 1713.*

“ Je veux, et j'ordonne, que la succession dorénavant suivant la forme exprimée dans la loi nouvelle (la Loi Salique)—que la dite loi soit considérée comme loi fondamentale de ces Royaumes et de toutes leurs dépendances présentes et avenir; nonobstant la loi de Partidas et toutes lois, statuts, coutumes, usages, capitulations, et autres dispositions des Rois mes prédécesseurs, y dérogeants, et les annulant en tout ce qui serait contraire à la présente loi, et les laissant pour tout le reste dans leur forme et vigeur, Car telle est ma Volonté.”

furiously directed; to this he paid no attention, and the *afrancesado* Burgos was named minister of the interior. This choice, which wounded the proud feeling associated with the recollections of the war against Napoleon, caused universal astonishment; it revealed, more than any other measure, the plan which Zea proposed to himself to realize under the auspices of foreign powers. It was not long before he perceived that he had hazarded too strong, and above all, too hasty a stroke: he fell. We must be just to all men, but especially to our enemies. Among all the ministers who succeeded each other from September 29, 1832, until August 15, 1836, Zea was the only man not disposed to remain stationary. A brutal and senseless absolutism was the point from which he started, in order to arrive at an enlightened despotism, which manifested itself in positive acts of moderation. He allowed the organization of a volunteer militia, he tolerated to a certain extent the liberty of the press, he accorded an amnesty, he created a minister of the interior:—we must give him credit for all these measures. His successors, who were men of the constitution of 1812, and partisans of the doctrine of the sovereignty of the people, retrograded toward an enlightened despotism, and reached, on May the 19th, the last paroxysms of brutal and senseless absolutism, in seeking to maintain, by the use of physical force, the power which failed them both at home and abroad.

On the fall of Zea, Martinez de la Rosa was called upon, as mediator, to reconcile the ministry with the public opinion. The choice was unfortunate. The former deputy for Granada, the patriot of 1814, had placed an insurmountable barrier between himself and the liberal party, by his conduct during his ministry of 1822, which terminated in the horrible days of June and July, when so much blood was shed in the streets of Madrid. Martinez de la Rosa justified but too well the fears which he inspired. He had promised the removal of Burgos—he retained him, and united himself to an *afrancesado*. Garely who, on the 1st of October 1832, had eagerly come forward to declare against liberal institutions, was named Keeper of the Seals. The new premier, not daring to display his altered banner, remained silent; he tacitly adopted the manifesto of October 4 without possessing the courage of its author.

This hesitation, added to a lurking sense of shame at a fresh apostacy, gave gloomy intimation to the patriots, that the men of the 7th of July 1822 had once more seized upon the reins of power.

One of the first acts of Martinez de la Rosa was, like his predecessor, to proclaim an amnesty : but that which on the part of Zea was an act of generosity, was in his successor one of revolting inconsistency. The basis of representative government is the inviolability of the deputies in respect to their opinions, for which they are accountable only to their constituents. That one who, like Zea, had never adopted that form of government, should regard the deputies of 1823 as culpable, is easily understood ; and an amnesty on his part is a rational, and even a generous act. But how could an amnesty be granted by a minister who had been a deputy to the Cortes of 1814 and 1820 ? Had he then forgotten that his unrecognised inviolability in 1814 was no defence for himself against the tyrant who cast him into prison ? Himself the victim of the terrible reaction of 1814 Martinez de la Rosa was thrown into the dungeons of Melilla, on the coast of Africa ; there he expiated, during six years, the crime of having been the chosen of the people, and of having eloquently proclaimed their indefeasible rights.

In granting an amnesty to his colleagues, who had stood by his side in defence of that Constitution to which they had all sworn, Martinez de la Rosa necessarily implicated himself. This act was singular enough ; but by excluding from the benefits of that amnesty those generous men who, at the risk of their lives, had in 1820 broken his own fetters, he was guilty of a culpable act of ingratitude. By these impolitic and unjust measures, Martinez de la Rosa as much as declared that the anger of Ferdinand had not been without foundation, and that he had merited the punishment which the king had inflicted upon him ; for if the deputies of 1823 were culpable in the eyes of Ferdinand VII., he had shown no greater indulgence to those of 1814, towards whom he cherished a still more implacable hostility. Martinez consecrated the principle of the iniquitous sentence pronounced by the tribunal of Seville against the deputies, who, in virtue of article 187 of the Constitution, had declared Ferdinand insane, in order to avoid

declaring him a traitor—when he replied to the representatives of the nation, that he would await in Seville the foreign army, which was advancing to destroy the liberty and the independence of Spain\*.

The repeal of this corrupt and shameful sentence against men, who were inviolable in respect to the opinions which they uttered in the exercise of their mission; the recall of all Spaniards to their country;—these, and not the humiliating concession of an amnesty, were the acts of justice and signal reparation to which they were entitled. A bold recognition of the eternal principles of right could alone create a new order of things, in which all parties might have sacrificed their resentments. This would have extinguished hatred and animosities, have reconciled parties, and have effaced the grievous recollections of the past. The decree of amnesty, on the contrary, deeply wounded those incorruptible defenders of their sworn faith, who had yielded only to foreign bayonets, and who had submitted, for ten years, to all the miseries of exile and proscription. This was a serious fault, and was followed by consequences which Martinez de la Rosa was more competent than any other man to appreciate. Thenceforward all confidence was at an end, irritation envenomed every proceeding, and war was declared against the new minister, who had proved so forgetful of his own principles, and manifested so impolitic a disregard of just and honourable feelings.

This total change of opinion in Martinez de la Rosa, since 1820,—a change which was the cause of so many evils, has been oftener noticed than explained; and yet such an alteration in a noble and exalted character is attributable to causes which it is perhaps worthy of history to investigate. Every people has its good qualities and its faults. The Spaniards in general possess an excessive degree of *self-love*, which cannot be wounded without exciting in their souls an implacable resentment. We shall have occasion to notice, in the course of this article, the fatal results produced by these aberrations of the understanding and the heart.

---

\* Art. 187, chap. iii. : "De la Régence. Le royaume sera gouverné par une Régence, quand le Roi par quelque cause, physique ou morale, se trouvera dans l'impossibilité d'exercer son autorité."

From the moment of his appearance in the Cortes of 1820, Martinez de la Rosa, under the dominion of an irresistible infatuation, ranked himself as the champion of the aristocracy. He struggled in the defence of the *Majorats* against the majority of the Cortes, headed by M. Calatrava, the present minister. The concise and keen logic of this remarkable orator infused an irresistible force into his eloquence. Martinez de la Rosa wished to negotiate: the Deputy Cepero was the emissary sent to Calatrava, who received him with a noble disdain: a mean and paltry transaction, designed to perpetuate an abuse so injurious to the country, was little in harmony with the feelings of a man of firmness, of high political probity, and warm devotion to the public welfare. The Cortes voted the abolition of the *Majorats*: this first defeat was a signal one, and it humbled the new adherent of the aristocracy.

The discussion of the seigniorial rights soon followed; Martinez de la Rosa attempted to defend these also, and failed; the Cortes voted their suppression. The parliamentary struggle had opened to the various orators a wide field for the display of their eloquence; and the public, who had followed the debates on so important a question with a lively interest, were but little obliged to the defenders of those rights for their exertions to uphold them. Although they did not at first manifest their resentment, they were not slow to do so as soon as an occasion offered.

The ministry had brought forward a law against the press, the patriotic societies, and the right of petition; Martinez de la Rosa appeared as its apologist. The public tribunes hissed him down, and applauded Calatrava, the consistent defender of the liberties of the people. From this day dates the final separation of Martinez de la Rosa from his old political friends. All the acts of Martinez, from his entry into the ministry in 1822, bear the stamp of personal resentment. Upon his recall to power in 1834, he imagined that the moment for taking his revenge was come; but in proportion as he retrograded toward the past, public opinion advanced. He suppressed those journals which manifested any degree of boldness; issued for the regulation of the city guard a decree which destroyed it, and rendered all organization impossible. Two Spanish nobles were sent to the courts of France and

England; the Duke de Frias to Paris, and the Marquis de Miraflores to London. *Afrancesados* were appointed to consulships abroad (at Marseilles and Genoa), as they had been invested with the civil government of the provinces at home. The generals of the army of the Faith received the most important military commands.

All this was not effected without agitation and severe collisions, which were rendered more dangerous by the commencement of the war in Navarre. Alarmed, and dreading at the same time the influence of constitutional opinions, which every day grew stronger, and the plots of the Carlists, who redoubled their boldness, the ministry, too, dreamt of their juste milieu policy, and an amalgamation of heterogeneous elements. They thought that a semblance of concession, borrowed from other corrupt constitutions, might prove a barrier sufficient to withstand the waves which were breaking in upon them from both sides. The constituent power, the imprescriptible right of nations, had never fallen within the range of ministerial encroachments. It was reserved for Spain to present the spectacle of a ministry proposing a constitution to a sovereign, as if it were a mere custom-house regulation, to which the royal hand affixed its *esequatur*. It was thus that the *Statuto Real* was given to Spain.

Much has been said of this royal statute; it has been regarded as a constitution, as a charter, as the basis of something; it has been set forth as the abstract of the ancient laws of the monarchy. All this is but the scaffolding to a pile of sophisms and falsehoods. The royal statute was the preliminary step to the violation of all the Spanish laws; it was a work of deception recommended by foreign cabinets, with the view of deluding a people with the specious appearance of making a large and generous concession. But the Spaniards, better acquainted with their true rights and their history, received this statute only as a transition to a more real and more national order of things. It is from impartial history that we shall derive all our means of placing the royal statute in its true light, and reducing it to its just value.

In the midst of the discursive preamble to the royal statute,

the ministers avowed unreservedly, and in the most explicit manner, that *the evils under which Spain had suffered for three centuries, had their origin solely in the contempt into which the fundamental laws of the kingdom had fallen*; and the singularly logical consequence of this fact, thus solemnly recognised on the part of the authors of the statute, was the confiscation of all the liberties of the people, so legibly written on those fundamental laws, and that in favour of the royal power, which, according to their own showing, had treated laws and liberties with contempt for three centuries.

By a strange confusion of true principles and false conclusions, a reality was appealed to in order to produce a delusion. Thus the constituent ministers declared that "the Cortes had, from time immemorial, been convoked to recognise the new king, to receive his oath, to renew the fundamental laws of the kingdom, and, in case of a minority, to receive the same oath from the regents and the guardians," and they arrived at the conclusion, that Ferdinand, by the convocation of the Cortes in June 1833, had satisfied the intent of the law, and that the nation had recognised Isabella II. as the successor to her father. Thus, in an assembly of courtiers, usurping the most sacred, the most important right of the people, did the constituent ministers fancy they saw the re-establishment of the ancient Cortes. Let us be allowed briefly to state what these Cortes were, in cases which affected the succession to the throne and the minority of the king.

The usage of submitting the recognition of a king to a national assembly, has prevailed in Spain from time immemorial. But this solemn act, which sealed the alliance of the people with the throne, was not one of mere form, sanctioning an act already accomplished, but the exercise of a right of investiture, which the people had expressly reserved to themselves. "*Rex eris si rectè facias, si non facias non eris,*" were the words of St. Isidore, in speaking of the rite of investiture, to which the people attached this condition of good conduct. Let us turn to the proof.

Alphonso IX., who died in 1230, left a will, by which he appointed his two daughters, the infantas Doña Sancha and Doña Dulce, to succeed him. The Cortes, however,

calculating the immense advantages of the reunion of the crowns of Castille and Leon in one person, cancelled the will of Alphonso, and proclaimed Ferdinand of Castille, son of Berenguela, the second wife of the deceased monarch, king. Ferdinand made his entry into Leon, and his first act was to swear before the National Assembly to respect the laws, the liberties, and the franchises of the people. Ferdinand de la Cerda, the eldest son of Alphonso X., died before his father, leaving two young children. The Cortes of Segovia of 1276 called to the throne Don Sancho, the second son of Alphonso, to the exclusion of the sons of Ferdinand. In 1363, Don Pedro of Castille appointed his three daughters presumptive heirs to his crown. The General Cortes assembled at Burgos in 1366, annulled this will, rejected the pretensions of the King of Portugal, and proclaimed Henri de Transtamare, king. In 1464, Henry V. wished to have the Princess Jeanne declared heir presumptive to the crown. The Cortes refused their consent, and proclaimed the Infante Alphonso. Henry reverted to his first intention. A new assembly, held at Cadahalso, called the Infanta Doña Isabella to the throne; Henry yielded, and the act was ratified at Guisando, and approved by the Cortes of Ocaña. Henry afterwards attempted once more to depart from this convention; but the Cortes were inflexible, and on their re-assembling at Segovia in 1475, subsequently to the death of the monarch, they recognised the Infanta Isabella as Queen of Castille.

Such acts sufficiently prove, that, up to the period of 1475, the Cortes exercised the right of the royal investiture in all its plenitude; moreover, the oath of the king preceded that of the deputies of the nation. This right of national sovereignty was maintained in full force until 1518, for on the convocation of the Cortes at Valladolid, in that year, the recognition of Charles I. met with violent opposition on the ground that he was a foreigner, although the son of Jeanne La Folle, the last scion of the Castillian dynasty.

The Cortes showed themselves no less jealous of their supreme prerogative in cases of minority; they had the power to modify, or even to annul, the last will of the king as to the choice of guardians and regents. On the demise of Alphonso VIII., the Infante Henry, his son, was recognised as king



under the guardianship of his mother, the Queen Eleonora. At the death of the latter, the guardianship was to pass, according to the testamentary dispositions of Alphonso, to her sister the Infanta Berenguela. But the Cortes, judging that the state of affairs was too critical to entrust the protection of the kingdom to a woman, decided, in 1219, upon nominating another regent, and their choice invested the Count Alvaro Nuñez de Lara with the supreme power, in the capacity of guardian to the young prince and regent of the kingdom. A similar case came before the Cortes of Valladolid of 1295, in respect to the guardianship of Ferdinand IV., which had been confided by King Sancho to Queen Maria. The Cortes refused their sanction to the will of the deceased monarch, and named the Infante Henry guardian of the king and regent of the realm. When, in 1506, Ferdinand the catholic, after having abdicated the functions of regent, desired to resume them, upon the death of King Philip, he met with so powerful an opposition, that he found himself obliged to convoke the Cortes at Madrid in 1510, in order to obtain their consent. The Cortes named him regent during the minority of his grandson Charles.

Thus we have seen that the Cortes were not content with merely registering the royal edicts; but they possessed, upon investigation, the power either to modify, or to reject them entirely.

How can we call to mind these periods of glory and liberty in a country in which the national assemblies have exercised their legislative power with such authority and vigour, and compare them with the ridiculous recognition of Isabella II. by the courtiers of Ferdinand VII., or appeal to their adhesion, as a legal act of investiture in favour of the young queen? Her rights are not based on the capricious will of her father; the crown was not a patrimony at his disposal; and her possession derives no sanction from the *Camarilla* convoked in June 1833, in subservience to a piece of court jugglery. Isabella reigns in virtue of national rights, and of the true fundamental laws, ancient and modern, of Spain, which recognise the hereditary descent of the crown to women, in default of issue male of the last king; and the nation alone has the power, through its legitimate and natural representatives, of changing or modifying the previously existing laws. Any other mode of proceeding than

this, is but tyranny and confusion,—it is merely to build upon sand the edifice of a day. Facts have recently put to the test the solidity of that erected by Martinez de la Rosa and his colleagues. In attempting to establish the Royal Statute, a work purely aristocratic, they imagined they could succeed in cajoling a people just escaping from the miseries of a frightful despotism. The people, however, were not deceived; and, from the moment when they saw that their municipal institutions were not restored in all their democratic vigour, they refused their assent and their adhesion.

Having thus analysed the Royal Statute in its monarchical principle, we will pass to its legislative and constitutional organization. In the preamble to the Statute, the minister declares, “ that the fundamental principle of the ancient Cortes “ was to give an influence in the weighty affairs of the state “ to those classes and persons in whom the great interests of “ society were vested.” Here, as elsewhere, the minister completely misapprehended the course prescribed by fact and history.

There is little doubt that both before the irruption of the Arabs, and after their expulsion, the national assemblies were composed of different orders. The nobles of the kingdom attended there, not in virtue of a popular election, but by the summons of the monarch. But towards the close of the twelfth century the popular elements began to predominate, and the influence of the clergy and nobility became proportionably enfeebled. During the reigns of Ferdinand II., Alphonso VIII., Alphonso IX., Ferdinand III., and Alphonso X., these two classes still retained some influence; but from the time of Sancho IV., the number of them to be found in the Cortes was inconsiderable; and thenceforth they ceased to influence the destinies of the monarchy.

In the Cortes, convoked at Valladolid in 1295, the clergy and nobles, so far from being considered entitled to take a part, were expressly excluded; and we find, in the annals of that period, that during the thirteenth, fourteenth, and fifteenth centuries, the Cortes consisted only of deputies from the towns and villages. The Cortes which met at Madrigal in 1476, to acknowledge the Infanta Doña Isabella, were composed solely of deputies of the people. After the birth of the Infante Don Juan,

the Cortes assembled at Toteile in 1480 in like manner consisted exclusively of the representatives of the people. Finally, in those convoked at Toro in 1505, to acknowledge the Infanta Doña Juana as Queen of Castille, the act drawn up for the occasion makes no mention either of the nobles or the clergy—the national representation consisted of the deputies of the Communes.

This right of representation belonged so exclusively to the Communes, that when any question of general interest to all classes was agitated, the deputies of the people demanded a conference with the other classes of the realm, in order to hear their opinion. This took place in the Cortes of Valladolid in 1417, as we learn from the letter addressed by John II. to Don Lopez de Alarcon, Lord of Valverde. The fear of encroaching upon the rights of the clergy in an ecclesiastical question, occasioned a hasty convocation of the bishops and prelates to the Cortes of Toteile in 1480, to ascertain their opinion, and obtain information from them.

The nobles and clergy, then, have never possessed any positive right to be summoned to the Cortes, or to take part in the general administration of the kingdom. These two classes defended their rights and privileges only by presenting special petitions; and their demands and pretensions never prevailed over the decisions of the Cortes. It is therefore historically demonstrated that the principle of the ancient Cortes was *not* to give influence to classes and persons possessing large interests in the community,—in other words, to the clergy and the nobles—since, on the contrary, they were excluded from the national assemblies.

There is, however, no doubt that it was a difficult task to reconstruct the political society of Spain at the present day upon the ancient basis, and to form a fundamental law out of materials derived only from her old institutions. But though the forms of an institution may have become obsolete, and their restoration almost impossible, the case is very different with the vital and immutable principle involved in the forms themselves; and it is precisely because the convocation of the Cortes, in virtue of the fundamental laws, presented great difficulties, that it was necessary to consult the nation; here was the sole arbiter who could resolve the problem, which the authors of the

royal statute, usurping the constituent right, for the purpose of encroaching upon the fundamental laws of the country, thought proper to dispose of in so summary a manner.

The fundamental principle of all society, the first truth which claims our ready recognition, is, that the sovereignty resides essentially in the nation; the people alone can establish, as they alone can abrogate, fundamental laws, by means of the assemblies of their representatives, furnished with special powers for those purposes. Now a representation can only be national, on the absolute condition that no portion of society, no subdivision of the country, be excluded from the right of electing its representatives, directly or indirectly. Such was the opinion of M. Calatrava, the present premier, and such was the opinion of the Central Junta when the question arose of convoking the Cortes in 1810. "Considering," said they, "that the motive which renders the immediate convocation of the Cortes indispensable, is to re-establish our fundamental laws in their ancient form, and to subject them to the ameliorations which are necessary to protect, for the future, the imprescriptible rights of the Spanish people from any usurpation, we are of opinion that the Cortes must be a true national representation; because it is to the nation at large, to the nation legitimately represented, that the power belongs of instituting reforms, upon which depend the liberty or the slavery, not only of the present generation, but of posterity." Such was the noble and patriotic language of Don Rodrigo Riguelme and of Don Francisco Xavier Caro, the organs of the Central Junta. Let any one compare it with that of the constituent ministry, and the comparison will suffice to explain the little sympathy which the royal statute and its authors met with in the nation; and why that act, clandestinely contrived, was received with indifference and disdain. The constituent ministry went so far, in its disregard of history, as to recognise the legality of the assembly convoked by Ferdinand VII., and to designate all those Cortes which had been held since the time of Charles V., as *despicable, and unworthy to be regarded as constituting a real representation of the great interests of the community.*

Although it is but too true that the liberty of Spain was cloven

down upon the plains of Villalar by the sword of him who, not content with the enslavement of that land, dreamed likewise of establishing an universal monarchy, yet the national spirit and the love of liberty were not so suddenly extinguished, but that even in this period of tyranny and corruption, there are examples to be found of a noble courage amongst the representatives of the nation. The magnanimous resistance of the deputies in the Cortes of Valladolid made Charles V. dread the renewal of those mortifications of which he had already experienced many. He therefore reassembled the Cortes at Santiago, in Galicia: every expedient was resorted to, to secure an easy compliance on the part of the deputies; and it was attempted to fix, and to prescribe, by a formula, the limits of their powers.

The Electoral Councils, irritated by this insult, demanded an explanation of it, in the Cortes of Coruña in 1520, declaring that the king was bound to leave the communes at full liberty to confer upon the deputies the powers which it might best suit their interests to grant, without prescribing to them any formularies; and they demanded that they should for the future be freed from any interference in the nomination of the deputies. In the session of this same Cortes, and in the assembly of Tordesillas, the Cortes decreed that, so long as the deputies were in the exercise of their functions, they should be prohibited, under *pain of death* and the confiscation of their property to the commune which they represented, from receiving any employment or any favours, either for themselves or their families. This determination was prompted by the abuses which had crept in, in defiance of the law, which interdicted the deputies from receiving any gift or favour from the king or his ministers during the continuance of their functions.

At the period of the convocation of the Cortes at Santiago in Galicia, the ministerial intrigues went so far as to procure the nomination of two deputies devoted to the emperor, Don Juan de Silva and Don Alphonso de Aguirre. The Electoral Council refused to grant them but very limited powers, and all the efforts of the court were unavailing against the firmness of the Council. On the reassembling of the Cortes, Charles V. demanded the supplies. Don Pedro de Laso, and all the deputies of Sala-

manca, opposed the grant, and declared that, *even should the refusal cost them their lives*, they would never sanction any act prejudicial to the welfare of the kingdom. To this noble declaration the emperor replied, by banishing the courageous defenders of the public interests.

Notwithstanding these tyrannical precedents, upon which despotism was beginning to found its exclusive pretensions, the Cortes of Valladolid in 1544 obstinately refused to grant an extraordinary subsidy, which was demanded of them. It was not until towards the commencement of the seventeenth century that the liberty and independence of the Cortes received the blow which, as the preamble to the Royal Statute justly declares, has caused all the evils which Spain has suffered.

We think that we have satisfactorily proved, by reference to history, and to the fundamental laws, that the constituent ministry were wrong, when they appealed to the principles which governed the constitutive organization of the ancient Cortes, in order to give influence to the higher classes; and that it would be difficult to find, in the fundamental laws of the monarchy, any thing which could serve as a basis for the creation of the Chamber of Proceres, established by the Royal Statute. The Estamento of Proceres, a servile imitation of the House of Lords in England, and that body, introduced into France under the name of the Chamber of Peers, was still-born, and never had any real activity. Its defective miserable organization gave it only a vegetative existence, without the power to exercise any influence for the welfare of the country; until the moment when, under the mistaken notion that it possessed in reality some importance, it was brought, by the intrigues of ambitious men, to serve as a support to the combinations of the late ministry against the liberties of their country. Without root in the soil, individually destitute of weight, and possessing only the energy necessary for covert machinations, the Proceres formed a sudden coalition with the man of the most revolutionary character, and the most implacably hostile to themselves, and still fancied themselves capable of something. They had the hardihood to raise a popular tempest, and the tempest scattered them like dust. It was not the operations of secret societies, as has been asserted, that caused the late revolution: its real authors were, the Mar-

quis of Miraflores, the Duke of Ossuña, the Duke of Veragua, and others, who, in assuming a tone of defiance with respect to the future destinies of Spain, compelled the juntas to take up the gage.

Whilst the Chamber of Proceres was corrupt in its very essence, composed as it was of men in the employ of government, and of grandees of Spain—a race both morally and physically degenerate, who have for ages past been idly reposing in the antichambers of the palace, upon the glory of their ancestors,—the Chamber of Procuradores was no less unhappily constituted. In the first place, the conditions of eligibility excluded from the chamber almost the entire body of Spaniards. In requiring as the qualification an income of 12,000 reals (£250) personal property, the framers of the electoral law contracted the circle within the narrowest limits; and we may easily form an idea of the small number of individuals to whom the choice was thus restricted, by pausing for an instant to examine the state of property in Spain. The Peninsula contains fifty-four million acres (*aranzadas*) of land under cultivation, of which thirty-seven millions are held by the majorats, and in mortmain, and seventeen millions are free. It is easy, therefore, to see how the number of the landed proprietors is diminished by this enormous disproportion between the free and entailed land. Thus much with respect to the terms of eligibility.

The grant of the electoral right was made in a spirit equally illiberal, and was exclusively reserved to the cities and boroughs, being chief towns of arrondissements (*Cabexas de partido*). The electoral colleges were composed of the members of the municipalities, with whom were associated an equal number of other persons, chosen from amongst the largest contributors to the revenue. Thus constituted, every electoral college named two electors; and the whole body of electors assembled in the chief town of the province, to nominate the deputies.

Spain is composed of 18,447 communes, and has 451 chief towns of arrondissements. It follows, therefore, that 451 communes were represented, and 17,996 remained without any representation at all, and that the total number of electors amounted to 902. Within the limits of this oligarchical sys-

tem there was no kind of guarantee for the people; neither a free press nor personal liberty, neither irremovable judges nor a responsible ministry. The procuradores, confined within the narrow limits of an absurd and tyrannical regulation, could bestow attention on those objects only which were submitted to them by the ministry: the right of petition was, to be sure, conceded to them by Article 32—a right which is equally enjoyed at Petersburg and Peking.

Such were the principal provisions of the Royal Statute, which was offered to Spain as the code of her new rights,—to the people, as a remedy for all the evils which overwhelmed them,—and to the civilized world as the re-establishment of the fundamental laws of the ancient democratic monarchy of Spain. And when the unhappy Peninsula, at last freed from the tyrant who had so cruelly oppressed her, believed that the hour of her deliverance was come, six obscure individuals dared to usurp the sovereignty of the entire nation, and to impose upon fourteen millions of men their scheme of an Utopian constituency, with all the authority of the Deity delivering the Tables of the Law to his people Israel. If these men are destined to expiate in exile their rash usurpation, let them not accuse the people, whose majesty and supreme power they despised; but let them learn, though late, that concessions made in a spirit of bad faith, always recoil upon their authors; and that in politics, as in morals, the violation of the principles upon which society at large should rest, sooner or later receives the punishment which it deserves.

The convention of the Cortes, by virtue of the royal statute, was preceded by the massacre of the monks of Madrid, on the 17th of July. The conduct of the ministry, on this occasion, has remained, up to the present moment, an inexplicable enigma. With a numerous garrison, and the civic guard at their disposal, they made no attempts to save the lives of these poor defenceless monks from a horde of assassins. Nay more; the captain-general, San Martin, has been unceasing in his demand for a trial, but without success. But, although the minister could not protect the lives of the citizens, he recovered his energy to make an attack upon their liberty, and to discover pretended liberal conspiracies. Accordingly, on July 24th, the day of the opening of the Chambers, the conspirators were arrested



with a great display of force, and amongst them the ministry were so shameless as to include the illustrious defender of Saragossa, Marshal Palafox. They were brought to trial—the trial terminated in the confusion of their accusers.

This first application of the royal statute, which took place too in the midst of the ravages of the cholera, was a measure of ill omen; coincidences such as these, among a people of ardent imagination, always produce a bad effect. Notwithstanding all the precautions of the electoral law, the ministry failed to obtain a majority; from the first session of the Chamber, they perceived that they should have to contend against a powerful opposition, and that their only hopes of resistance depended upon a regulation which they had also granted, in a form that rendered all discussion impossible. But although by means of a system of deception they gained the mastery over the Chamber, the efforts of the latter to free itself from the net which it was endeavoured to throw around it, produced a powerful effect out of doors, and agitated the people's mind. The arrival of Don Carlos in the Basque provinces, and the rising of the factions, still more enfeebled the power of the government. On the 18th of January, 1835, it ceased to exist; thenceforward there was but the shadow of a government, hurried on by an irresistible force towards an abyss.

Discontent had made immense strides. On the 18th of January it assumed a terrible aspect, in the daring attempt of Lieutenant Don Cayetano Cardero, who, at the head of a battalion of the volunteers of Arragon, raised the standard of revolt in the very streets of Madrid, under the eyes of the ministry and the assembled Chambers. He marched with his soldiers to the Puerta del Sol, took possession of the post-office, there fortified himself, and braved all the military efforts directed against him in person by the minister of war, General Llauder, and General Canterac, commandant of the province. Shots were exchanged; the artillery was directed against the post-office; Cardero returned the fire un-intimidated. General Canterac advanced to a parley; Cardero met him alone. Carried away by hasty exasperation, Canterac, on seeing himself alone with Cardero, at the distance of a few paces from his soldiers, upbraided him with so gross an act of

rebellion, and stooping on his horse, attempted to tear off the epaulettes of the lieutenant. But the soldiers, who had kept their eye upon their intrepid leader, seeing the movement of the captain-general, imagined that he was about to arrest Cardero;—in an instant five shots were fired, and General Canterac lay dead upon the ground. The Governor of Madrid, Brigadier Zaragoza, attempted to advance with some troops—he met with the same fate, and then the firing ceased.

The ministry, unable to put down this revolt of a handful of soldiers, animated by the open sympathy of the population, perceived that this movement of Cardero was but a part of a vast plan, which, in consequence of some circumstances of which they were ignorant, had miscarried. They calculated well the danger of a position, of which every minute's continuance was a victory to the rebels; they hastened, therefore, to come to terms with them: but all their proposals were rejected, and they were compelled to submit to the humiliating terms of a capitulation dictated by Cardero. The latter marched out with drums beating and colours flying, amid the acclamations of the entire population of Madrid, and with his battalion took the road toward Navarre. The ministry, who thus with fear and trembling had, on January 18th, accepted these humiliating terms, had subsequently the treachery to violate the conditions to which they had agreed. What the plan of the conspirators was, what the causes of its failure, or who those conspirators were, we will not take upon ourselves to say; but the time is not distant, when the only man who remained faithful to the execution of the project, will himself speak; and the world will not be little astounded to learn that among the conspirators of the 18th of January, were men who sought to purchase order at any price, after exchanging the character of conspirators against the government, for that of conspirators against the liberty of the country.

The most stormy discussions took place in the Chamber of Deputies on occasion of this event. The ministry, in a body, were for many days attacked unsparingly, and General Llauder, the minister of war, was compelled to give in his resignation. In the Chamber of Proceres, he was accused by General Quesada with having come to Madrid purposely to work a counter-revolution, and to abolish the royal statute. This

accusation, in itself a serious one, came with still greater weight from the mouth of Quesada, and it remained without any satisfactory answer from the minister. M. Isturiz, at that time leader of the most radical portion of the opposition in the Chamber of Deputies, assailed the ministry with all the impetuosity of his popular eloquence, and admirably summed up their position in the remark, that the volunteers of Arragon had borne off the whole moral force of the ministry at the point of their bayonets.

At the period which we have now reached, there remained in the ministry but one of the authors of the royal statute. Martinez de la Rosa shortly afterwards resigned, and with him disappeared the entire of the constituent ministry, in less than a year from the promulgation of their great work. We shall see what was their fate.

On the fall of Martinez de la Rosa, Count Toreno resigned the financial department, in which he had no longer any thing to occupy him, and assumed that of foreign affairs, together with the presidency of the council. The nation, however, wearied with these ministerial changes, which led to nothing, refused its sanction to the new ministry. The juntas were organized: Toreno in vain endeavoured to intimidate them; he raised his voice to a high pitch, but, however it might serve to give himself courage, it failed to inspire others with fear. His authority was not recognised. Madrid contained a strong garrison, and Quesada held the command. The ministry hesitated not to declare the capital in a state of siege, on the 19th of August—a memorable day, the terrible anniversary of which was kept the following year. The principal conspirators at that time, in the eyes of Toreno, were Galiano and Isturiz; the former of whom was arrested and cast into prison, the latter escaped by flight. Had it not been for the triumph of the juntas and the fall of the ministry, it is probable that Toreno would have shown them no mercy; for the object of declaring Madrid in a state of siege had been to facilitate their impeachment through the expeditious process of Courts Martial, the members of which were already named.

The convulsive movements in Spain, and the menacing attitude of the juntas, indicated a deep-seated discontent in the nation. Nevertheless, the language of those men, who spoke

in the name of the people, was calm and temperate, although at the same time firm and energetic: the good sense too of the people exercised a happy influence. On the arrival of M. Mendizabal the agitation ceased: there was a general confidence in his political principles, and so far public opinion was right:—it anticipated much from his talents, and in this it was mistaken. In spite of himself, he was carried away by the Camarilla. On one occasion, however, in attempting to steer a middle course, between the importunate demands of a party and the repugnance of the court to concede them, he fell. He was succeeded by the boldest champions of 1823 and 1830—men of the most essentially revolutionary principles, who were just returned from exile; and at their head was Isturiz, the most violent, the most implacable of them all.

There is a remarkable instinct in the political masses, which all the machiavelism of a practised intriguer can never succeed in baffling. They are never deceived in their judgment; which, although it may wear the appearance of injustice and of absurdity, events too often unhappily justify. Never was a ministry composed of men more identified by their principles with the cause of liberty, than these were: they had all given public, irreclaimable pledges of their patriotism and of devotion to the regeneration of their country: indeed, the single reproach against M. Isturiz had been the excess of his ardour, which, up to that period, might be called revolutionary. Nevertheless, the news of his appointment to the presidency of the council was received with a cry of alarm, which resounded from every corner of the Peninsula. The man of all others the most revolutionary was now regarded as a retrograding statesman, a tool in the hands of the court party, and of the enemies of social and political advancement. His secret closetings, his alliance with the intriguers in the Chamber of Proceres, were the general subjects of remark, and no doubt was any longer entertained of his apostacy. Whatever may have been the causes of the elevation of M. Isturiz, which are too vaguely asserted for us to stop to examine, there is still one fact decisive of his guilt—namely, that of his having accepted the ministry, although his party formed but an inconsiderable minority. The reception which he met with from the Chamber must have proved to him the extent of his

error. From the day of his entrance into office they declared, by an immense majority, that he did not possess the confidence of the deputies of the nation: but instead of yielding to this imposing manifestation of hostility, and submitting to it as a condition of representative government, the minister braved the decision of the Chamber, and retained the reins of power. Thus situated, the Chamber exercised its supreme privilege, and refused him all supplies: notwithstanding which Isturiz still disregarded the voice of the deputies, and replied to the solemn declaration they had just made, by the dissolution of the Chamber. This was a conflict of life and death; liberty must either perish or establish her triumph upon the ruins of the royal statute: she triumphed.

Blinded by rage, and panting for vengeance against the Chamber which had refused him its confidence and support, Isturiz—the enraged Isturiz—the most dreaded demagogue of Spain, rushed at once head-foremost into a counter-revolution, and joined the ranks of men whom he had always opposed, with a virulence which knew no bounds. He communicated his frantic extravagance to his new colleagues, and they all fell together with blind fury upon the most devoted patriots; they raised around them a new rampart of the deserters of 1823, and flung themselves into the arms of the aristocratic Camarilla, who used them as the stepping-stone to raise themselves to power. They promised themselves much from the intemperate ardour of Isturiz; they perceived the levelling principle which the royal statute was designed to establish, and upon which they alone found an elevated position. The Camarilla desired to confide this question to men of the most revolutionary principles, and in this they had two different objects: in the first place, to cast upon the liberal party all the infamy which must necessarily arise from the flagrant apostacy of men who had been their leaders: and secondly, to accomplish, through their means, a task which was above their own powers. The Camarilla did not perceive that they were creating a revolution; and the day upon which this broke out, these would-be counter-revolutionists found nothing left them but to fly; and disgraced and confounded by their defeat, to wander from door to door with their whining and ridiculous complaints.

Isturiz and his party had no sooner prorogued the chamber, than they dismissed all the deputies who held places under government: thirty-seven out of forty-nine prefects (civil governors) were discharged. Cordova was summoned to Madrid: the ministry, who but the evening before could not pronounce the name of this idol of the court without horror, now cast themselves as supplicants at his feet, and entreated the honour of his friendship. The army had commenced its operations in the field, when its general in chief suddenly abandoned it, and passed nearly an entire month in the capital, leaving the troops inactive. In the mean time, the rebels crossed the line of the Arga and the Ebro, and over-ran the provinces of the east.

Such inconsistencies, and so bold and open an apostacy, were the prelude to the most tyrannical measures. The press was gagged by those very men who had never ceased to inveigh against a comparatively tolerant censorship. The Cortes were convoked for the 20th of August, and the elections fixed for the 13th of July. The formation of this chamber was to decide the fate of the ministers, who had appealed from the chamber to the electors. A majority was to be gained at any price; and never, in any country, have means been resorted to more violent, measures more illegal or more base, in order to obtain a majority. Threats and promises of every kind were employed to intimidate or to seduce. Every where the ministerial candidates were those members who had constituted the majority of the chamber, which Mendizabal had dissolved, as one whose existence was incompatible with the progress of freedom—and of whom one individual alone had been re-elected. Isturiz and Galiano had formed part of the minority, and had themselves counselled the dissolution of that chamber; nevertheless, they now called to their aid the very men to whom they had formerly been opposed, and Toreno and Martinez de la Rosa were the men of their choice. The elections made on this occasion were most capricious. Martinez de la Rosa, an Andalusian, was named by the province of Santanile; Medrano, an inhabitant of La Mancha, was named by the province of Castellon de la Plana; these, and a hundred other instances, proved that the ministry, despairing of securing the election of their candidates in their own provinces, where they were known,

offered them to the choice of other constituencies. It would occupy too much space to enumerate the revolting attempts of the ministry to pack the chamber. Suffice it, that they filled up the measure of their folly and guilt; exasperation was at its height—in all the provinces the active part of the population prepared themselves for the fight, and the slightest accident might be the signal for its commencement. The mine was charged to the very mouth—the spark only was required—it was kindled in Malaga, and the explosion took place. Whenever men attempt to accelerate the slow and imperceptible course of events, they fall into the wild and visionary ideas of conspirators, which lead to inevitable failure: but a revolution which is the work of time, and of a long train of circumstances, must succeed, because it is a necessary consequence of events which have preceded it—it is a fruit come to maturity. On the 25th of July, a trifling circumstance was the signal of the revolution, which broke out at Malaga, and spread with the rapidity of lightning over the whole peninsula. General St. Just, the military governor of that town, had issued an order forbidding the drums to beat after a certain hour. The order was disobeyed; so much had authority lost of its moral influence. He then attempted, with an imprudent rigour, to compel obedience to his orders; he threatened a population already in a state of great excitement, and with arms in their hands; that very evening, at half past nine o'clock, he fell, pierced with balls. The civil governor, Count Donadio, acting only upon the impulse of resentment, attempted to revenge the death of St. Just, and fell himself under the fire of the populace.

This deplorable circumstance is too serious to be passed over without an explanation, which, without extenuating the enormity of the facts, will afford a sufficient reply to the idle declamations against crimes which had no real existence. There had been war—conflict—and it was followed by the death of two persons; but in this we see only the deplorable, the frightful consequences of all war, and of every conflict. Would to Heaven, indeed, that civilization and morality may make such advance amongst us as to cause a total disuse of the appeal to arms. Count Donadio had been, the previous year, president of the Central Junta of Andalusia, during its insurrection against Toreno. At that period his revolutionary ardour

went so far as to terrify the most decided liberals. He was chosen deputy for Malaga at the election which followed the dissolution of the chamber by Mendizabal; and he was chosen as a warm partisan of the movement. On his arrival at Madrid, he joined the ranks of the opposition, who accused the ministers of tardiness; but he gave his support to the ministry of the 15th of May, which placed its reliance on men opposed to the movement party. Asturiz appointed Count Donadio to the civil governorship of Malaga, reckoning much upon his influence in the elections. Donadio appeared at Malaga, denounced his old friends and principles, and plunged head-foremost into electoral corruption and intrigue. It was not long before this inconceivable apostacy roused the public mind.

On his entering an electoral college, on one occasion, with his sword at his side, in opposition to the express words of the law, the electors turned him out of doors. Irritated and humiliated, Count Donadio abandoned himself to all the rage of his passionate character, and pushed things to that terrible extremity, which led to the fatal result, that followed a few days afterwards. We do not pretend to justify the consequences of that melancholy event; we are merely relating the manner of its occurrence.

On the 26th, Malaga named a junta and proclaimed the Constitution of 1812. Cadiz revolted on the 29th, Seville on the 30th, Cordova on the 31st; Grenada, which was restrained at the first moment by General Lopez Baños, one of the former comrades of Riego, declared on the 30th. In an instant the whole of Andalusia separated from the central government, and the Constitution of 1812 was everywhere the rallying cry. On the 1st of August, the movement took place in Saragossa; they unfurled the same standard, and the whole of Arragon followed the example of the capital. On the 3rd of August, Badajoz, and the whole of Estremadura; on the 8th, Valentia; on the 11th Alicant, Murcia, Castellon de la Plana, and Carthagena, proclaimed the Constitution.

The ministry saw the tempest gathering; they, however, took no precautions, imagining that it would disperse of itself, so perfect a reliance had they in their power to crush the movement. On the evening of August 3rd the drums beat to arms, and the national guard of Madrid was collected without the



command of the authorities. The ministry thought that the moment was come to make a display of force, and that by striking a decisive blow at Madrid, they should succeed in spreading terror through the distant provinces. The capital was declared in a state of siege: the national guard was dissolved, and orders issued to disarm it, which were in part executed. On August 4th, General Quesada published an order of the day, worthy of the worst days of the reign of terror: the population were declared by it *en masse* to be without the pale of the law: and the opposition journals were prohibited from appearing any longer. In the midst of such measures of frantic violence, Madrid remained perfectly calm; so great was the contrast between the brutality of the government and the good sense of the citizens, that all these acts of blind and infatuated rage excited only a smile of pity.

On the evening of August 13th, the movement of the Granja, and the acceptance of the Constitution by the Queen were announced. The impatience of the inhabitants began to manifest itself; and all the efforts of men of influence were ineffectual to prevent a collision. The ministry had given merciless orders to Quesada, who, on his part, was not a man to recoil from their merciless execution, and he took his measures accordingly. The night passed without any disastrous event. On the 14th, Madrid presented only one great scene of arms: the troops were drawn up in the most frequented thoroughfares: the cannon were placed in the public squares. People and soldiery eyed one another without menace and without exasperation; but the slightest incident might prove the signal for the conflict. About two o'clock in the afternoon, Quesada was at the Puerta del Sol, attended by an aide-de-camp, and some cuirassiers of the guard. He was assailed with hootings; he commanded the crowd to be dispersed; the soldiers obeyed his savage orders; a shot was fired, which missed the general—the troops remained immovable—and the cry of “Viva la Constitución” burst forth.

Up to this moment no occurrence to be deplored had taken place. The multitude now rushed, uttering cries of “Viva la Constitución,” to the Place de la Cebada, where the regiment of the queen regent was drawn up in array. Colonel Calvet, an officer of distinguished merit, and devoted to the interests of the national cause, commanded the regiment. He advanced

in front of the multitude with two companies of voltigeurs, entreating the people to await patiently the issue of the crisis, and to preserve the public order and tranquillity. Unhappily his voice was drowned, and his intention mistaken, in the midst of the tumult; his attitude, at the head of his two companies, whom he had imprudently ordered to march with fixed bayonets, was misinterpreted into one of hostility; and scarcely had his soldiers advanced a pace, when twenty shots were fired, and he fell a victim to his mistaken zeal. The soldiers, by a mechanical instinct, returned the fire upon seeing their colonel fall, and killed some, and wounded a still greater number. The crowd took possession of the houses, and there fortified themselves; but on the soldiers desisting from firing, the people also ceased. In a short time they met,—an explanation and understanding followed, and it was agreed that the troops should remain under arms to preserve tranquillity, and that all provocation should on both sides be carefully avoided. Thus order was re-established.

Quesada, on hearing the news of this event, hastened to the Place de la Cebada, and ordered Colonel Mendivil, who had assumed the command of the queen's regiment, to cause eleven officers, a list of whom he gave him, to be shot. Mendivil, with admirable energy, refused; upon which Quesada, in a transport of rage, insisted on his obeying; but he found the colonel inflexible. The firmness of Mendivil marked the instant when the ministry began to feel that they were vanquished; thenceforward they saw that they could no longer depend upon the passive obedience of the garrison. General Quesada then published a proclamation, inviting the citizens to preserve order until they should hear the resolution of the queen,—a resolution which she had taken since the 12th of August. This change of language on the evening of the 14th, which formed such a contrast with that of the morning, was the first flag of truce held out by the ministers.

The extreme measures put in force on the evening of the 13th, and in the course of the 14th, leave no doubt that the ministry, informed of the events of the Granja, which were followed by the queen's taking the oath to the constitution, wished to attempt a counter-revolution; and that they ordered Quesada to remain firm at Madrid at all hazards, whilst General

Vigo, minister of war, repaired to the Granja to accomplish this intention. His efforts however were unsuccessful, and the government learned this fact at the instant when the regiment of the queen regent abandoned the ministerial cause.

While Madrid was thus a prey to the most violent agitation, let us see what events took place at the royal residence of St. Ildephonso. On the evening of the 13th, a drama was represented at the theatre of the court, entitled *A Revolution in Paris*. This accidental circumstance of a representation so inopportunately chosen, occurred at the time when the news of the revolutions which had taken place in the provinces arrived. Thus, whilst the court and all the officers of the garrison were taking part in the stage representation of a revolution, the soldiers of the provinces and the guards were engaged in an actual one. Issuing in a body from their barracks they marched unarmed to the palace, under the conduct of the non-commissioned officers, and amid cries of "Viva la Constitucion." The queen quitted the theatre, and returned to the palace. A deputation of sergeants and corporals, having at their head Sergeant Garcia, presented itself, and in the name of the whole troop declared that they never would fire upon the people; that the Constitution was the rallying point around which the entire nation was gathering; and beseeching the queen graciously to accede to the general prayer of the Spaniards, and to put an end to the state of hostility in which the ministers, without her consent or advice, had placed the capital and the royal guard. The queen requested to have time to consider this demand, and promised to give an answer to it the following day. That answer was in the affirmative, and the Constitution was sworn to by the queen, and proclaimed at three o'clock in the afternoon of the 13th.

This scene has given rise to a multitude of accusations more specious than true. As a general proposition, an act of military rebellion against a monarch, is one of treason and felony; but if we reflect upon the crisis in which Madrid was at that time placed, and the dreadful consequences which must have attended a collision between the garrison and the people—the one in a state of exasperation, the other obeying by force of discipline, the voice of a violent commander—we must admit

that the movement of La Granja, was a fortunate occurrence, inasmuch as it put a stop to a state of things, which must have led to the sacrifice of numerous victims. Under circumstances so critical, we must consider the bloodshed and the consequent calamities avoided, as the prominent points of the question, before which all the rest lose their weight, and sink into comparative insignificance.

The night of the 14th of August passed in tranquillity. On the morning of the 15th the triumph of the Constitution was secured by the nomination of General Seoane, in the place of General Quesada, to the command of Madrid and of the province. The city, whose population had slept amidst the noise of the troops patrolling the streets, the rolling of the drums, and the rattling of the artillery over the pavement, awakened to barricade all the houses. At ten o'clock in the morning, the dismissal of the ministry and the nomination of Calatrava to the presidency of the council, with power to form a government, were announced. At two o'clock p.m. the Constitution was proclaimed with all the forms of an act, which changed entirely the basis of the political and social order in Spain. The joy was universal at thus seeing the ancient national banners again unfurled, nor less from the assurance of the termination of the dreadful crisis which had lasted for eleven days. Not the slightest disorder took place, not a cry of reaction after so cruel a subjugation. The only victim was the unfortunate Quesada, who had so unhappily placed at the service of the re-actionary ministers his noble courage, his soldier-like energy, and his imprudent boldness. At three o'clock in the afternoon, it was learnt that he had been arrested near the village of Hortaleza, distant a league from Madrid: the bearer of the intelligence had to pass through the most populous streets of Madrid, to reach the headquarters of General Seoane, which were at the post-office. An immense crowd gathered on his way thither, and the imprudent messenger related aloud the news which he was bearing to the authorities. Some vile assassins instantly jumped into the cabriolets which were on the stand in the Calle d'Alcalá, and started at full gallop for Hortaleza, with

the determination to murder a prisoner, without defence, and under the protection of the law.

On the first intelligence of the arrest of Quesada, General Seoane ordered Captain Montano to ride at full speed with a squadron of cuirassiers, and to rescue him from the fury of the populace. Montano set out with all possible speed, but he arrived too late: the Marquis of Maneago had ceased to exist. Strange and melancholy fate! General Quesada was the first to draw the sword in 1823, against the Constitution, and he contributed effectually to its overthrow: he died by the hands of assassins, the very day on which that Constitution was re-established in the capital of the monarchy thirteen years afterwards! Quesada was a valiant soldier, an honest man, and a generous enemy. During the thirteen years of the reign of Ferdinand, he defended with inflexible courage, the liberals against all the apostolical reaction. During his administration in Andalusia, he was the friend of all the persecuted, who sought refuge at his side. He opposed to the exactions of the nefarious ministers of Ferdinand the loyalty of his character and his plighted faith, which he made even his enemies respect. But brought up as he was in the camp, Quesada could not bend to prudence, or make the concessions which difficult circumstances required: he knew only how to command and to obey. The harsh and brutal tone of his speech and his character rendered him detested, and occasioned his fall. Quesada was an upright man, whatever were his opinions; even amongst his political enemies he had friends, and it was not their fault that he was not saved: on the evening of the 14th, several of them offered him an asylum, —and amongst these the brave General Seoane was not the last. We cannot but notice here, a curious coincidence of events. On the 15th of August, 1835, Madrid was declared in a state of siege by Quesada. It was Isturiz who was then outlawed, and saved himself from a court-martial by flight alone. On the 15th of August, 1836, Madrid was again declared in a state of siege, by the same Quesada, under orders from the same Isturiz, and they were both obliged to save their lives by flight. One perished a victim to his passive obedience, and the other is in exile, shunned by his fellow-countrymen, who are indignant at his apostacy and versatility.

We have followed, in some detail, the history of the last three years, from a desire to make generally understood the series of events which gave birth to the Royal Statute, and which led to its overthrow, after two years of existence,—a series of ministerial faults which caused the people to raise again the flag of the Constitution of 1812 and 1820, as that which alone represented the legal principle of rights so long misapprehended and trodden under foot. We have deemed it necessary to collect all the leading facts, and to bring them within a comprehensive view: they will speak more loudly than all our reasonings to men of enlightened and impartial minds, and to such alone do we address ourselves.

The Constitution of 1812, an imperfect, and perhaps an impracticable work, contains in itself the legal corrective of its own errors; this fundamental code is a solid basis upon which to build the future destinies of Spain. The constituent Cortes will be elected by the entire body of the citizens; they will modify and amend the work of the constituent Cortes of 1810; and we may confidently hope that sound reason will prevail over foreign theories, and Utopian schemes borrowed from other nations. The creation of a second chamber is perhaps the most serious innovation which the constituent Cortes will have to make; to give to the new fundamental code of Spain a real strength, to give to its provisions severally the stamp of reality and durability, the second chamber must, and we trust will, receive the popular investiture of election; it must equally avoid the forms of England and of France, which we refrain from discussing, and which can in no manner accommodate themselves to the state of Spain. Any peerage or senate, either hereditary or of royal nomination, will be a useless incumbrance, an embarrassing clog, such as the *estamento* of the *Proceres* under the Royal Statute proved during its short existence. To establish a just balance of power, to secure order, and to promote the real advancement of liberal institutions, it is, that we urge the constitution of a second elective chamber. The *grandees* of Spain have too long held themselves apart from the administration of affairs to pretend to exercise any influence on them. From want of emulation, the descendants of those men whose names are illustrious in history, have lost all energy. The

country has an interest in seeing them resume an active life; but, too long habituated to an hereditary indifference and idleness, they will, if possible, remain inactive, as they have hitherto done, resting for support upon their titles and their unproductive wealth. They must lead a new life, and share in the popular element. They cannot, as rich and powerful proprietors, remain indifferent spectators in the midst of the general movement; and as their ancestors marched at the head of armies, so the proper position of the grandees of Spain at the present day is at the head of civilization. Their hereditary apathy must be conquered, and they must be compelled to resume, in spite of their own disinclination, the rank which becomes them, and which they have bartered for the privacy and idleness of a court; they are in general noble and generous, and we have nothing to reproach them with, save the voluntary sacrifice of their own dignity and importance.

The nobles, then, should constitute a part of the second chamber, but by election, like all the other members of it. Spain will thus give a noble example to Europe, of a nation respecting the recollection of past services, in the midst of a great political transformation,—an example which will be handed down to the descendants of those illustrious men. We may rely with confidence upon the good sense and the loyalty of the people: free in their choice, the election will be real and good, and they will readily pay obedience to those whom they will themselves have invested with the authority to command.

The destiny of Spain is in the hands of the new Cortes; to ensure success, and to secure the prosperity and happiness of this once glorious country, we earnestly hope that the deputies who are about to lay the constitutive foundations of the Peninsula will be all *Spaniards*, and that they will direct their efforts rather to reforms in the administration, than to new political creations. But it is in the face of a devastating civil war that they have to engage in ameliorations which that war renders so difficult. For three years error has only given birth to error; in running after allies, who have vanished like a shadow, the nation has abandoned its true friends; vainly attempting to establish order, it has produced only violent agitations. It is time to put an end to these, for when political crises

are suffered to continue too long, the people terminate them by throwing a veil over the statue of liberty, and by placing a seal upon the lips of the law. Spain desires a regeneration, and not a revolution; but, in order to accomplish this, the government must summon to their side men capable of counteracting the revolutionary element which still exists, though feeble and disregarded: they must remember that every defeat of the army perpetuates for another day that feverish excitement among men ready to attack every thing which separates them from their object. We doubt not that the present ministry will answer the hopes, the expectations, which they have raised; and in spite, doubtless, of many errors, the confidence which they inspire will give them a force, a support, which all the preceding ministries have wanted.

We have seen with pain, how ill the prodigious efforts of the men of property in Spain have been appreciated by the French government, which, so far from yielding them a frank and cordial support, appears to be withdrawing from the treaty of the Quadruple Alliance; whilst the hostile and calumnious tone of the official journals of the Doctrinaire ministry surpasses, in violence and falsehood, those even of the Carlist party themselves. There is a kind of fatality attending the relations of France and Spain—two countries formed to harmonise in all respects; and it seems as if the saying, "*Il n'y a plus de Pyrénées*," has been only a cruel and ironical taunt. There is a species of periodical action and reaction, equally fatal to both nations, of which they seem threatened with a renewal. The war of succession, that of 1793, of 1808, of 1823, are examples too lamentable not to deter from a repetition of such attempts. The continuance of the civil war in Spain presents to France dangers to which she would in vain endeavour to shut her eyes. In a neighbouring country she has witnessed a sudden federation, attended with circumstances no less remarkable; and she cannot avoid recognising the evidence of the force of provincial traditions, or that the ideas of federalism have still an active and vigorous existence. The sudden uprising of these juntas in 1808 for the defence of the country, in 1835 against the ministry, and in 1836 for the re-establishment of the Constitution, are grave and important facts, plain manifestations of the tendency of public opinion. The central power has once more



recovered authority, but will it retain it permanently? We may reasonably doubt this, unless the civil war has a speedy termination. If indeed it is prolonged, and the monarchy, powerless to restore peace to the country, is likewise abandoned from without by its allies, the day perhaps is not far distant when the resolution of the Spanish people will resume all its vigour; and when, leaving to the Navarrese and to the Basque provinces their *fueros* for which they are combating, each province, reclaiming its own, will retire from a contest, which must then cease, from want of an object.

Is it reserved to our age to witness the country which has been regarded as the classical soil of monarchy, fall into dismemberment after three centuries of a compact and firm existence? We do not believe this; although our conviction is, that the form of a federative republic will, at a future, though very distant period, be the crowning step in the regeneration of Spain. It depends on France and England to arrest for a long period this movement, so dangerous to the whole of Europe. But let us be well assured that the civil war must inevitably have this result; if it continues, the counsels of reason and forbearance will cease to be of any effect, and absolute despair, the most fatal prompter to action, will usurp all influence over the nation.

The present ministry possesses no other force than that which the confidence and the general esteem of Spain gives it: but what is more fugitive than the popularity of a ministry? All their efforts will be directed to the re-establishment of order, and to a vigorous prosecution of the war. They have, however, come into power at a period when the disorder is at its height; and it can scarcely be hoped that the remedy of the evil can be so speedy as to satisfy the expectations, or pretended expectations, of that body of idle and ill-disposed men whom every revolution raises to the surface of agitation.

Our task is finished; we have spoken of Spain, such as we have seen her after a long examination of all the elements which are working or paralysing her restoration. Time alone can verify or condemn our predictions, and we appeal to the future. Would that England and France could be convinced, as we are, that upon the triumph of a wise and rational liberty in Spain depends the repose of the whole of Europe!

A federative republic, or a monarchical absolutism, would equally disturb the balance of society ; whilst, on the contrary, Spain, under the reformed Constitution of 1812, may be able to preserve her monarchy, and at the same time to secure to the nation all their liberties and their municipal franchises, so dear to the people, and so necessary to their greatness both at home and abroad.

---

ARTICLE IX.

*Ministerial Changes in France.*

ON this side of the channel, where a majority in Parliament alone possesses the privilege of making and unmaking a ministry, the fall of M. Thiers may seem an effect without a cause. The Chambers did not drive him from office, for his retirement took place during the recess ; it cannot be said that he sank under the blows of public opinion, for it spared him, as one spares a child whose growth one wishes to foster. He was popular ; the men who have succeeded him were unpopular : with them no one sympathizes ; the Chamber of Deputies looks upon them with repugnance—a repugnance which it has often expressed in votes of censure : the press persecutes them as the favourers or accomplices of the fallen dynasty ; even the king, disposed as he is to adopt the same theories as themselves, has a real aversion for their persons.

Despite of all these causes of exclusion, the Doctrinaires are in power : despite of so many supports and resources, M. Thiers has been unable to maintain himself. What are we to think of these apparent contradictions ?

M. Thiers has split upon no other rock than his own character ; he has fallen, like Nebuchadnezzar's statue, because the brazen colossus had feet of clay : he has ruined himself, at the very time when his enemies hardly dared attack him.

The late president of the council is, by nature, like the Spanish soldier, of whom one is in the habit of saying, he was brave on such a day, or at such a place. He is never alike for two minutes ; his resolutions pass like lightning through his mind ; and his policy, instead of pursuing a straight and con-

tinuous path, advances by springs and bounds: he has neither sequence in his ideas, nor consistency in his character. France, under his guidance, resembled a man of honour delivered into the hands of a courtesan, who forces all her caprices upon him, and troubles, while she fascinates him. Nothing, indeed, short of the disordered situation of that great country could ever have allowed a character so full of failings and of weaknesses, to occupy the highest place among her constituted powers. The *Majorité* suffered itself to be dazzled by the brilliancy of his fluent oratory. M. Thiers became minister because he was unrivalled as a public speaker; much in the same way as among savage tribes, the most robust and courageous, not the wisest or most prudent, warrior is elected to command.

The Ministry of M. Thiers maintained a sufficiently firm position during the last session: the majority supported, and at the same time, kept it within bounds. As long as his power was disputed, the president of the council was reserved in his language, and seemed to wish to raise himself to that moral dignity in which he has always been deficient: but no sooner was he delivered from the control of the Chambers, than he threw off the mask and gave free course to his temper. The intoxication of success added to his unbounded ambition; the feeling of his own talent, increased by the mediocrity of all his colleagues; and pride, in him, had reached almost the pitch of madness. M. Thiers seriously looked upon himself as a second Napoleon, called to extend the limits of France, and of course to govern without contradiction in the mean time.

Hence all the faults of the last ministry. The president of the council, in the majority of cases, did not even condescend to consult his colleagues. Thus, by a telegraphic dispatch, he recalled General Bugeaud from the banks of the Tafira, in order to give him the command of the force which was to march into Spain, without giving any notice to the minister at war, who is commander in chief of the army. M. Thiers had no more respect for the representatives of foreign powers; he treated the ambassadors with a familiarity which has more than once caused complaint to be made to the king, and, with that thoughtlessness which he displays on all occasions, he was

heard to exclaim, at one of his own parties, "*O mon dieu, il est huit heures, Frias va venir; je lui ai donné rendezvous, et je ne sais plus ce que j'avais à lui dire.*"

Something yet stranger remains. It is well known that M. Thiers and M. Guizot tolerated, encouraged, and even laid down, as a constitutional axiom, the right of the king to intervene, personally, in affairs of state; and one might have thought that M. Thiers, on becoming prime minister, would, better than any one, remember this doctrine, manufactured for the express use of the new throne. No such thing: M. Thiers aspired to dictate even to his master, and he set about it by putting aside, in the rudest manner, those courtly forms, which, if they serve for nothing else, serve to moderate the shock of conflicting opinions.

Before the question of intervention was laid before the council of ministers, it had been debated between the king and M. Thiers. In the course of this discussion, which was carried on with equal warmth by the two interlocutors, M. Thiers forgot himself so far as to say, "*Je dois déclarer au Roi qu'il n'a jamais été de bonne foi dans cette question.*" Was not Louis Philippe justified in exclaiming against the ingratitude and insolence of his minister? A few days after this conversation, and when the rupture was already inevitable, M. Thiers, who was going into the country to forget the cares of greatness, called upon the king, and said to him, just as if he were speaking to a clerk in one of his own offices; "*Je pars pour la chasse; j'y resterai deux jours. Je vous en prie, au moins, Sire, ne faites rien sans moi.*" The king, on describing this scene to one of his aides-de-camp, added, with a feeling of humiliation, "*Quand j'entendis ces paroles, il me sembla qu'on me donnait des coups de bâton sur la tête.*"

If we may trust the assurances of persons in the confidence of the court, the king was prepared to make a compromise with his ministers in the difficult question of intervention; and would at least have conceded extensive enlistments for the purpose of strengthening the foreign legion. But the political question had now become mixed up with a question of personal dignity: Louis Philippe and M. Thiers could no longer meet at the same council board; the king must have feared to

humble the throne before the power of the minister: the latter trusted to the support of the Chambers to force the will of the sovereign. In fact, M. Thiers has shown as much haste to quit the cabinet, as most ministers show to get into it: he seems persuaded that they will be reduced to the necessity of recalling him, and that his triumphant return to power will be, like Necker's in 1790, upon the shoulders of the people.

On the first rumour of a ministerial crisis, M. Guizot hastened to Paris; M. Duchâtel, who was reposing himself on the coast of *Gascony*, took post, and followed close after his master; the whole *staff* of the Doctrine were soon assembled, and ready for the assault. Louis Philippe, who dreaded the tutorship of the *Doctrinaires* more than the impertinent pretensions of M. Thiers, but who well knew that that *coterie* had much more ambition than pride, did not submit to M. Guizot's conditions, but dictated his own through M. Molé.

The *enfantement* of the new ministry was long and tedious. Louis Philippe had two reasons for desiring that the cabinet should not be homogeneous: in the first place, because an administration formed of men unanimous in opinion upon important points, necessarily annuls the king's preponderance in the cabinet; and, secondly, because at the present moment, no opinion has power enough over the chambers, to command, alone, a majority. He has, accordingly, exerted all his tact to compose a ministry of incongruous elements, which remain in equilibrium merely through the exertion of opposing forces.

In the ministry of the 3rd of September, three distinct shades of opinion are blended. MM. Guizot, Duchâtel, and De Gasparin belong to the *doctrinaire* school; M. Molé, in the Chamber of Peers, and M. Martin du Nord, in the House of Deputies, represent that political party, which keeps on good terms with all governments, and which professes to save them in spite of themselves; M. Persil, General Bernard, and Admiral Rosamel are simply devoted courtiers, with different degrees of fanaticism and energy. These last form the centre, the *waverers* of the council; by disposing of their votes in favor of M. Molé or M. Guizot, the king is enabled to throw the majority into either scale at his pleasure.

The *juste milieu* system—that system of selfishness incar-

nate in the person of the king—remained strong, and even appeared durable, whilst it had for its instruments two such men as Thiers and Guizot. Their defects were neutralized by their good qualities, and they served as counterpoises to each other. M. Guizot, grave and serious in his language, gave character and dignity to his ministry; while M. Thiers, a man of no such severity of conduct, supplied the cabinet with the liveliness, subtlety, and fertility in expedients, which in France are, unhappily, considered of far more importance than honesty, uprightness of character, or large and noble views of policy. These two ministers united the two great fractions of the parliamentary *centres*; the *centre gauche* and *centre droit*. The existence of the majority organized by M. Perier in 1831, depended upon the alliance of these two men; but they themselves could no longer remain united, from the time when the two *centres* had once shown symptoms of tending to a separation.

This decomposition of the *juste milieu*, prepared by previous events, began to show itself at the commencement of the last session; and it became evident, from that moment, that before renouncing its favourite system, the crown would attempt to employ separately the two men and the two parties, whose union had assured the success of the reaction. We first saw the Thiers' phase in the ministry of the 22nd of February, which was formed by the union of the *centre gauche* and the *tiers parti*; we are now about to witness the Guizot phase, in the ministry of the 6th of September, formed by the union of the *centre droit*, not with the legitimist tories who are still pouting, and will not answer any advances, but with the *Philippixing* tories of the Upper House.

The great object of the combination is to augment the influence of the peerage in the government. The *Doctrinaire* journals have received their instructions; to them it is committed to persuade the people, that the *charte*, in declaring that the ministry should be the creature of the majority, does not allude exclusively to the elective majority; and that the opinions of the Chamber of Peers should be reckoned for something in the constitutional order. They add that this chamber reckons among its members all the men of distinction in the state, and that it possesses almost all the intelligence

and experience of the country; but they do not mention that the greater part of these *célébrités* have justly forfeited all respect on the part of their fellow citizens, by their prostitution to every government. What confidence can the country place in M. Pasquier, who served Napoleon, and served Louis XVIII., and still serves Louis Philippe I.? Was not M. Molé, minister of Napoleon and minister of the revolution of July, one of those who condemned Marshal Ney to death? Is not the mere name of M. Decaze the symbol of political tergiversation? and M. de Talleyrand the synonyme of that cunning selfishness which swims through all revolutions, and always finds a fortune among the ruins of its country?

M. Guizot has no esteem for the Chamber of Peers, and he despises the Deputies as an assembly of ignorant *bourgeois*: but the Peers are docile instruments, and the Deputies rebellious, and hence his preference for the former. When so important an innovation as the transfer of the influence and power of one chamber to another, has been resolved upon, it is certainly the occasion to flatter public opinion, and attempt to secure a long lease of office. M. Guizot felt that this was his situation, and demanded the dissolution of the chamber; the king decisively refused, thus showing that he preferred the present chamber to the ministry, and that the sacrifice of the new-comers would not cost him much.

M. Guizot committed a great blunder in accepting office, under the condition of preserving the present chamber; by that act he descended from his rank of the chief of a party. How can he, indeed, present himself before that majority, of which he has so openly exhibited his distrust? Will he not be reduced to the necessity of disarming it by concessions; of suffering himself to be drawn along by others; of humbly following in the track marked out by M. Thiers; of speaking like M. Sauzet of conciliation, and like M. Passy of economy; of playing a part, in short, instead of assuming the lofty position of the restorer of the monarchy and the aristocracy?

Undoubtedly it is no very difficult task for a ministry, be its character what it may, to obtain a majority in the elective chamber. M. Guizot himself will, perhaps, obtain it; but under what conditions? This is the true question. Would he be supported by a majority, should he pretend to oppose

M. de Salvandy to M. Dupin for the Presidency of the chamber? Could he command a majority, in an attempt to prevent the chamber from bestowing a mark of its favour upon M. Thiers, as, for example, his nomination as vice-president? Should M. Thiers, fallen into discredit as he deservedly is, undertake to lead an opposition against the ministry, could MM. Guizot and Molé preserve a majority? The difficulties of their situation may be conceived from this single fact: the *Journal des Débats*, which never ceased to clamour for M. Guizot's return to power, at the very moment of engaging to defend the new administration, formally reserved its attachment to M. Thiers; in the event of a contest, it wishes to be free to preserve its neutrality.

The cabinet of the 6th of September will be extremely weak in the chambers. Neither M. Molé, nor M. Duchâtel are orators; M. Martin du Nord, an intriguer but an intelligent *administrateur*, is little calculated for the arena of debate; M. Persil, a sort of attorney, familiar with the chicanery of special pleading, full of malignity and hate, may serve, in a period of civil war, like the blast of a forge, to excite into a blaze the already inflamed passions of party, but in a period of calm he wearies and disgusts his audience. Lastly, M. Guizot, who alone will sustain the whole weight of the debates, has a grave and formal eloquence, which adapts itself with difficulty to sudden struggles, and requires preparation in order to exhibit itself to advantage. There is then not one orator in the ministry, and this in a country where power is the reward of eloquence; and opposed to such redoubtable antagonists as MM. Thiers, Dupin, Barrot, Berryer, Dufaure, Teste, and Garnier Pages!

But this is not all. The ministry was scarcely formed, before it exhibited the elements of dissolution. M. Guizot says, very readily, that he will never separate himself from M. Molé; but M. Molé does not say that he will remain for ever with M. Guizot. Should M. Molé even assert it, he would not be believed. These two ministers are rivals, in ambition. M. Guizot is proud of the superiority of his talents; M. Molé of his birth and of the authority he has acquired in a long official career, commenced by Napoleon's making him



a minister at the age of twenty-two. M. Guizot at first insisted upon the presidency of the council; the king placed it in the hands of M. Molé. The chief of the Doctrinaire school, though at liberty to choose the ministry of the interior, preferred to take refuge in that of public instruction, which occupies but little of his time, and thus permits him to watch more actively over the general march of affairs. Unable to be the chief of the ministry, he aspires to be its soul.

The character of M. Molé is another stumbling block. The president of the council has not the haughty manners and severity of character which distinguish M. Guizot; but his pride, however concealed under more polished forms, is no less real. Add to this, that his irritable and unaccommodating temper gives him, perpetually, the air of a discontented man. M. Molé could hardly be other than a stumbling block in any conceivable combination; he has not the strength to rule, and he will not consent to be ruled; he wants, at once, both courage and *bonhomie*.

Should a spark of disunion penetrate into the cabinet, it will meet with one man whose every effort will at once be exerted to blow it into a flame. M. Persil is one of those malicious, and at the same time mean creatures, who, like ill-tempered curs, lick the hand of their master, and snap in revenge at every thing else within reach of their teeth. Without sincerity, heart, or opinion of his own, he is, in one word, Louis Philippe's *spy* in the cabinet. He countersigned the nomination of MM. de Bassano, Teste, Passy, and Charles Dupin, the ministers of the 3rd November; he detested the Doctrinaires at that period, and compared them to the Jesuits. Three days afterwards, he countersigned the re-entry of his ancient colleagues, MM. Guizot, Thiers, &c., and thought himself happy in being admitted in their company. M. Passy, whom he had decided, by false reports, and by insinuating that the public tranquillity was menaced, to assume the ministry of finance, has openly declared; in the tribune, that M. Persil deceived him. M. de Rigny, his colleague, whose conversation he had reported to the king, exhibited his contempt for him, in presence of five hundred persons assembled in the saloons of the Tuileries. And yet M. Persil is a

minister at the present moment; and what is more, he is minister of justice, and represents in France, law, justice, and morality!

The new cabinet is equally deficient in administrative ability. M. de Gasparin, who has been placed in the department of the interior, was *préfet* at Lyons, during the riots of April. A man fitted only for the ordinary routine of office, and destitute of political intelligence, he neither anticipated nor prevented the impending crisis. M. Guizot, who is not blind to the incapacity of this minister, abandons the *communes*, the *hospices*, and the prisons, to his direction, but reserves for M. de Remusat, sub-secretary of state, the whole political duty, the elections, and the instructions to be given to the *préfets*.

M. Martin du Nord is still more completely out of his element in the ministry of commerce. His life has been passed in the study of the law, and he was *Procureur-général* of the *Cour Royale* of Paris, when nominated to his present situation. Unacquainted with commercial matters, he still represents in the chamber a manufacturing department, interested in maintaining the exorbitant duties imposed in France upon all articles of foreign production similar to its own. M. Martin is placed between his duty as a minister on the one hand, and his interest as a deputy on the other—the most false of all positions for a public man. M. Duchâtel, the minister of finance, has been instructed to present the scheme of tariff laws to the chamber; in other words, M. Martin will enjoy the title, and M. Duchâtel discharge the functions. Thus we have two important ministries, in which the administration will only move by an auxiliary impulse, and will be, consequently, destitute of all consistency and unity.

Finally, General Bernard, who has suffered himself to be nominated minister of war, has neither the military reputation nor the firmness of character, which the chief of the French army should, at this day, possess. The army is discontented, and decorations and promotions have been lavished upon it without satisfying it. The French soldier has never been a passive instrument; he is eminently subject to the impulse of a moral feeling; he must have glory or liberty; battles, or the development of the institutions of the country. To make

use of the army, as has been done for the last five years, to restrain public opinion, to fire upon the factions, to encamp upon the scarcely extinguished volcano of popular feeling, and to give it no compensation, as the emperor knew well how to do, by more glorious occasions of pouring out its blood, is to keep it in an unnatural situation, tending to produce insubordination in the ranks. The secret societies are multiplying in the regiments, and the most exaggerated opinions are professed; for the soldiers, who read but little, have not, like the citizens, who have retired to the civil walks of life, the means of enlightening and tempering their convictions. Republican forms seduce them, because they exalt the feeling of nationality, a feeling more dearly cherished by men with arms in their hands, and whose stirring duty it is to guard the frontier of their native country.

Marshal Soult, for whom the ministry of war was intended, but who refused to lend his name to the new cabinet, might indeed have, in some degree, suppressed the ferment of disorder; for the army fears him and knows his military talents. But henceforth, nothing but war, or a truly liberal ministry, will be able to *Philippine* the spirit of the regiments; the system of resistance has completely alienated it, and the popularity which the king has lost, will not be restored by the parades of the camp of Compiègne. The king regards Marshal Soult as his saviour, and would willingly dissolve the ministry to secure his support. In France, it is generally believed that the ministry will not survive the approaching session.

We have laid bare the causes which brought about the ministerial counter-revolution of the 6th of September; our readers have been made aware of the weak points of the new administration; we must now look at it at work: what will it do, and what political system will direct its course?

The tendency of the present ministry cannot be doubted. It desires, as has been wittily observed, *la restauration de la restauration, moins la restauration*; it wishes to accomplish with the younger, what the Doctrinaires were unable to effect with the elder branch of the Bourbons; to establish a government of the *juste milieu*, supported by the wealthy classes, capitalists, or landowners. MM. Guizot and Molé were both opposed to the abolition of the hereditary peerage, and they

hope, by flattering the vanity of the wealthy *bourgeois*, to re-establish it among the institutions of the country. They both think that the power of the elective chamber has been too much enlarged at the expense of the royal prerogative, and they believe themselves charged with a mission to restore the latter. Finally, they suppose that the clergy, humbled by the revolution of 1830, will not put too high a price upon its alliance; and they propose to restore its ancient influence over affairs of state, together with the place in the Chamber of Peers, of which it was deprived.

This plan is not very much to be feared. The electoral body, limited as it is in France, will never permit its execution. Perhaps this selfish *bourgeoisie* excludes the inferior classes more completely than it should, from access to the positions occupied by the government; but it is still more irreconcilably hostile to the men and the *souvenirs* of the restoration. M. Guizot will be wrecked against this disposition of the public mind, perfectly expressed in the revolutionary proverb, *les blancs seront toujours blancs, et les bleus toujours bleus*.

The policy of the new ministry may far more easily disturb our foreign relations. In the state of moral torpor in which France is at present sunk, it bestows but little attention on what is passing around; and provided its Government do not expose it to war, demands no very rigorous account of the employment of the national influence abroad. France insists upon one point alone, the alliance with England; to this she adheres, as much from instinct as from reflection; no ministry is strong enough to break it; and this is the reason why it has not yet been broken by the Doctrinaires.

Since England entered upon the high road of reform, M. Guizot no longer looks to her for his models of government—at most he imitates, not the England of 1836, but the England of 1688: the latter pleases him as the culminating point of the aristocracy. M. Molé, on the other hand, is, in diplomacy, of the school opposed to M. de Talleyrand; he believes that an alliance with Russia would ensure to France greater commercial advantages, and more chances of aggrandizement—a political idea worthy of the man who would close the ports of France against foreign grain, for the purpose of raising the rent of land and the income of property!

Louis Philippe has always reserved to himself the supreme direction of the foreign policy, and he gives to his diplomacy a strongly pronounced tendency towards the alliances of the North. Republicanism is as odious to him in Switzerland and America as in France; and wherever a revolution may break out, he regards it as a personal enemy.

What proves that the species of persecution organized by M. de Montebello, against the Swiss Cantons, did not originate alone with M. Thiers, is the fact, that the new cabinet suffers itself to be drawn into the same difficulties. Instead of recalling the ambassador, he is instructed to protest against the remonstrances of the Vorort.

As to Spain, Louis Philippe may be said to treat it now as Pitt did the French Revolution formerly. He refuses it all assistance, while awaiting the moment to attack it. The advice of Louis Philippe it was which misled the Government of that unhappy land, and precipitated it into the perilous situation in which it is at present. In 1835, M. Thiers, then Minister of the Interior, sounded Lord Palmerston upon the question of an intervention in Spain; twenty thousand French soldiers might, in two months, have suppressed the insurrection between the Ebro and the Pyrenees; and the Spanish Revolution, no longer alarmed for its own existence, might have followed a more regular course. Lord Palmerston judged incorrectly of the situation of affairs, and refused to second M. Thiers; yet nothing less than the concurrence of the ministers of the two countries could have triumphed over the personal repugnance of Louis Philippe. M. Thiers, reduced to his own strength, attempted to force the king: we know the result.

The Doctrinaire journals proposed a *contre-projet*. This was to make war at the same time against Don Carlos, and the Constitution of 1812, for the purpose of re-establishing the *statuto réal*. Consistency required this of the système. But M. Guizot, who knew the aversion of the King to any decisive movement, hastened to decline all connection with this premature plan.

Louis Philippe has particular reasons for being opposed to an intervention. He dreads the effect of the contact, or as he thinks contagion, of revolutionary ideas upon the French soldiery. The difficulty of combating the influence of the secret societies

in the army, dispersed and watched as it is in its garrisons, is immense ; what would it be with the excitement of war, when the regiments marched *en masse*, the French singing the *Marseillaise*, and the Spaniards the *Tragala*? After planting in Navarre the flag of the Constitution of 1812, would not the French army be tempted to display the standard of the Republic, or to plant the tree of liberty, on this side of the Pyrenees?

We must add, that the intervention, though favourable to the interests of France, is not very popular either at Paris, or in the Departments. The middle class, the class which governs, dreads all enterprizes of which it does not distinctly see the end ; it recollects the long wars of the Peninsula ; and when told that it is often its interest, as well as its duty, to aid its neighbours, struggling for civil and political liberty, it inquires how much it will cost. It might be asked with equal justice, how much France loses by this equivocal neutrality ; for the interruption of her commercial relations with Spain has already half ruined the Pyrenean departments.

The present situation of Europe resembles, in many respects, that of 1820. Then also, the French Government suffered itself to be engaged, contrary to the wishes of the nation, in the coalition of the absolute Kings against the liberties of the Continent. Austrian and French armies successively suppressed the revolutions of Piedmont, of Naples, and of the Spanish Peninsula. England alone, a ship at anchor, threatened to fire the cannon of alarm, and to excite a popular tempest throughout the world ; and would to God that she had done so ! Russia would now be less lofty, and less strong. To England it belongs to insist upon the execution of the treaty of the Quadruple Alliance : let her force the last entrenchments of the Ministry of the 6th of September, and compel it to pronounce between Don Carlos and the Constitution of 1812.

She will thus render a service to the interests of liberty, which are in both lands the same.

---

## ARTICLE X.

*Report of a Committee of the Manchester Statistical Society, on the State of Education in the Borough of Manchester, in 1834.*

*Ditto ditto in the Borough of Salford, in 1835.*

*Ditto ditto in the Borough of Bury, in 1835.*

*Ditto ditto in the Borough of Liverpool, in 1836.*

*Report from Select Committee on the State of Education, with Minutes of Evidence, 1834.*

*Rapport fait au nom de la Commission chargée de l'examen du Projet de Budget pour l'exercice, 1837. (Ministère de l'Instruction Publique.) Séance du 18 Mai, 1836.*

WE believe we may as well take it at once for granted (though we are quite aware that it is not universally admitted in these enlightened islands), that a good education is a good thing. The doubts which were expressed, some years since, so very warmly on this matter, in times when a national debt was considered a national blessing, and catholic slavery maintained to be essential to protestant liberty, have not altogether disappeared. The dowagers of all sects, political and religious, are very consistent, and delight in being the last in the breach made by the irruptions of experience and common sense. We can easily forgive them this weakness, but cannot indulge them with any further waste of ammunition. We may, therefore, without any disparagement, pass them by, and suppose their assent already granted to an axiom which one would think ought to be as obvious, as that light illumines, or that what is good, cannot be bad.

But it is a very different question, what constitutes this good education, and how it is to be had. This is an inquiry worthy of far other debaters than the dowagers.

Our best guide in such an investigation, is experience. But our experience, to be worth any thing, should extend a little beyond our own mole-hill. It is worth while casting a glance at our neighbours; how have they settled this intricate question, and with what result?

Time was (it was a golden age), when Germany enjoyed,

undisturbed by any government interference, her "voluntary" system of education. Each school had the happiness of choosing its own teacher, each teacher of teaching his own method, or of teaching without a method or, if he thought proper, of not teaching at all. There was no "despotism" then, no "military drill;" a perfectly free trade in instruction matters reigned every where,—every one was allowed the franchise of being as ignorant as he might think fit. Parents were not called on to make the unreasonable sacrifice of their children's labour to their children's instruction: intellectual and moral nourishment was forced on no one, until he called for it aloud, with a voice of hunger which no one could mistake; supply was most nicely and economically proportioned to demand; and though the market was quite open, means being taken to keep demand as low as possible, there was little or no call for supply. People in power, in those days, occupied by far more important cares, the entertaining sovereigns and attending processions, declared every thing was going on so perfectly well on this arrangement, that any interference would be tyranny and folly: there was, consequently, no prying,—no direction, no money. The Gymnasia, intended for the poor, had large funds, and few poor scholars,—the Universities enjoyed their solemn and profitable mystifications, their subscriptions to tests few believed, and fewer still understood; doctors and licentiates graduated by virtue of their purses, and knowledge was bought and sold unmolested. All slept in dignified ease; for as long as the inferior school continued unreformed, little was to be apprehended in the higher. In a word, no one was entitled to set his neighbour in the right; and every one had the privilege of falling into as many errors as he chose, and groping out of them as he could, on the important matter of his own and his children's instruction.

All this time, people high and low, praised education—highly esteemed education—and wished, by every possible means, education would descend amongst them. Somehow or other, education did not come; strange to say, though school houses certainly grew more numerous—like other houses—education itself did not keep up with them, and children continued going to and coming from school, "more majorum," without bringing home much more than seems to have been picked up by their



forefathers. In a word, Germany made no marked progress, we are sorry to say, with all these manifold and manifest advantages. A few doubts were at last timidly expressed, that all was not right; then a few murmurs; and finally, but from the few only, a few and a very few complaints. Rulers would not believe, because the whole nation did not at once cry out,—that the nation was not perfectly content, and happy with the system; the suggestion that any thing could be better, was considered exceedingly “hobby-horsical” and impertinent, and means taken to abate these first innovators, as a nuisance. Other men, however, soon started up in their place, who not only complained of the evil, but proposed a remedy. Amongst them was Basedow. His “*Methoden Buch*” is the prospectus of the very system which many then deemed folly, but which is now law.

“To whom,” says he, after bitter invectives against the existing degradation and corruption of education,

“To whom can any individual friend of humanity, who may have attained, in this most important of all matters, new information, experience, and energy, address himself for a due consideration of his propositions. How can he hope, that even when he is admitted, he will receive public assistance, or even sufficient protection and permission to enable him to carry them into execution, without which, all his suggestions must turn out no more than so many black lines upon white paper, to be left to the moth, or devoted to the purposes of the tradesman. Of what advantage is it, as things now are, that this paper thus coloured should pass under the eyes of the reader? He will possibly exclaim, ‘the writer is quite ‘right in many particulars, but who is to reduce his suggestions to practice?’ or, ‘who is this who pretends to show us the way? What right has he to teach us!’”

The evils which arose out of this total absence of all superintending or controlling power (the perfection of the voluntary principle), seem to have been numerous.

“The inspection at present exercised by the most distinguished ministers, must be very inefficient, so far as the necessary improvements in public instruction are in question, inasmuch as it forms but the hundredth part of their functions, or is confided to a single minister, who, great as he may be (and I admit, with every sentiment of respect, that there are even Grandisons amongst them), cannot extend his care to every object, or raise himself beyond the highest point of humanity. Hence it follows, that in many places *very inferior societies*, and *individuals*, are, at present, the *only inspectors and administrators of our public schools and studies*: or, sometimes the duty is confided to some clergyman who derives his consideration from his place, and is altogether unprovided with that necessary knowledge of the public wants, or the progressive extension of the

sciences, without which, it is impossible fully to understand the proportion which should be kept up between such wants and such extension."

The consequences of this inertness or hostility were most conspicuous, in the whole range, material and moral, of German education. The schools were few, miserably built, and in the worst situations; there was no classification, or studies proportionate to age or objects; no class books, deserving the name; no teachers, and no methods. In a word, there was no education, and under the existing system, little hopes of having one. What was the remedy? Innumerable projects for the improvement of education, instances of successful experiments had been urged by distinguished men on the mass of the public: they were all unprofitable. Basedow saw that the corrective could not exist in the causes which had produced the evil. He did not trust to its power of self-regeneration; he looked beyond it.

"Could these monstrous errors and defects of our school system have continued, if those who were better informed and better qualified to reduce their information to practice, had had free access, in any one instance, to an effective BOARD, which in virtue of its situation might have sufficient impartiality, knowledge, and authority to examine such suggestions, and sufficient powers, to take the necessary measures for carrying such portions as might be deemed beneficial into effect? I say expressly to take the necessary measures; for the injurious methods now in use in our public schools, are too old and too general, and the hostility to more natural ones too strong, not to require, first and above all things, no small assistance to carry such changes into operation."

He farther defines the character of this Board:

"I speak of a respectably constituted Government Board, or superintending Council of Moral Police (*Staats-Collegium, oder moralischer Polizey-Conseil*) which under the direction of the crown, may have at all times the opportunity of communication with the government, and be not only acquainted with men and science, but with the wants and resources of the whole community, according to the special form of its constitution, and who will judge the more dispassionately of any difficulties or opposition, which at the outset must necessarily attend all improvement, from the conviction that individually they can neither suffer nor benefit in consequence."

He proposes to entrust it with full powers for the reform and superintendence of public instruction, *viz.* with power:—1. To select the sites, and watch over the construction of establishments for education.—2. To classify these anew, from the elementary school to the university.—3. To extend them where wanted, and to provide a new series of class books.—4. To establish and superintend seminaries for teachers.—

5. To appoint teachers to schools in future to be established, and to fix their salaries.—6. To exercise a general system of inspection and control. Some of these functions deserve a more special attention. And first of books.

To the want of a well-digested series of class books not only the errors in methods of education, but all the after incoherence and confusion in the mind of the pupil, and, generally speaking, in the public mind, are traceable.

"Such is the labyrinth," says he, "produced by indiscriminate reading. Those who up to their thirtieth year, have been enabled to dedicate some time to thinking and reflection, find at the end perhaps of that period, some issue from its windings, and settle down into some plan both for their understanding and their heart, which, imperfect as it may be, is still preferable to this eternal chaos. But the majority of readers, learned and unlearned, remain generally in the same state, the whole of their life, without feeling any desire for deliverance, surrendered to incredulity and immoral habits."

This evil, the result of the ill-selected and heterogeneous character of their early studies, is to be remedied only by a good selection of class books, on an uniform principle. This he suggests should be accomplished, by an educational course, or series of text books, for every grade of education, under the name of *Encyclopædia*.

"My plan for school books is divided into two classes; 1. Elementary works, which I confine to private institutions and schools, and to which alone I intend to devote my pen; 2. The Elementary Library for Gymnasias, whose object is declared by its name, and a portion of which, on the completion of the former, I purpose to execute, leaving the remainder to the care of such enlightened men as I can induce to join me in the undertaking."

These two were to be followed by a third—the "Cabinet Library," for the use of grown-up persons, or for the lending libraries of schools.

When this course was in full operation, and good methods were thus rendered positive and permanent, attention was to be directed to teachers.

"Of all the plans hitherto suggested, one has proved as defective as the other. This can only be remedied by compelling teachers to confine themselves in the order and choice of their text books, and in general in the methods they adopt in teaching; to a well-digested plan, and to fixed principles. In order to effect this, it is essential that the State should take upon itself the inspection of schools, and should no longer surrender public instruction to the caprice of individuals. This object deserves the most mature consideration of the Board of Education."

Examinations are to be held, for the purpose of ascertaining the competency of the teachers.

"In these examinations, however, they are not to be expected to show their knowledge, but in the functions expected from them, and especially in the art of teaching, and the management of schools, they are required to give unequivocal proofs of their qualifications." . . . "Examinations, only assist in discovering good teachers where they really exist, but by no means create them where they do not. To effect this, Seminaries for teachers are indispensably requisite. There should, therefore, be in every country a Gymnasium for masters (*Seminaristen Gymnasium*), in which young men might devote themselves to the profession of teaching, and with every assistance and under the eye of an experienced professor (*Seminaristen Professor*), go through a theoretic and practical course of study for some years. At the close of this course, the seminary should present the student with a detailed attestation of his progress and capabilities, which will serve to direct such as may have hereafter to choose, much better than any examination. After this, should any teacher so furnished with a testimonial be found unqualified for his situation, the Board should make strict inquiry, with a view to the punishment of the person who had given it. When once such a course of proceeding had been fully established, the students declared eligible might be classed according to their respective ages, or the nature of their respective testimonials, and appointed accordingly, and in proportion as they conducted themselves well, promoted to situations of higher rank and emolument, inasmuch as their wants must necessarily increase with years and the increase and growth of a family. If these arrangements be neglected or deferred much longer, it will be utterly impossible to look for a perfect organization of education; it will be rarely or never practicable to ascertain the qualifications of teachers; schools, like every other situation, will continue to be disposed of through mere cabal; teachers will still be chosen by one party from pecuniary considerations, by another because the candidate is of good family; by a third because he has a pretty sister; by a fourth because he is on terms of intimacy with the valets-de-chambre of persons in power, or has filled the situation of tutor at half-price in some nobleman's family. Admirable reasons truly for supposing him qualified to discharge the important duty of conducting public education!"

But all this, however desirable, could not go on without funds—whence were they to come? Then, as now, the Exchequer stepped in with its difficulties. Basedow soon settled them.

"In the great majority of places, there is now, as formerly, through the means of endowments and the usual payments for schools, and instruction given by public teachers and professors, abundant provision for any costs to be encountered, in carrying into execution this reform of our school system, without imposing new burthens on the state, or indeed on any one individual. It is only requisite that the funds, far too enormous for their present objects, should be distributed more generally in other places and for other purposes—that those which are too small and scattered should be collected—that the number of schools and gymnasia should be reduced, and the funds now applied to salaries, buildings, libraries, stipends, and burses, should be administered with more prudence and economy. How many endowments are now to be found, supported by the state or by individuals, where to each master can scarcely be reckoned

two scholars or hearers. This has now continued for twenty, thirty, nay for a hundred years, and at this present moment things are not better than they ever were. And even if it were otherwise, even if it were admitted that public instruction would require larger funds than what hitherto have been destined to it, will not the friend of humanity, and the wise statesman, be enabled to discover new sources for such purposes, if once he be convinced that no one application of the resources of the state is so sure of consolidating all ranks and classes of the community, as this single one for the promotion of public instruction."

This was written in the year 1770—before Radicalism, Charities Inquiry Commissioners, or Boards of Education in any country in Europe, were even dreamt of—and by a man essentially practical, of very wide and multiplied influence, who had travelled over all Germany, and a great part of Europe, with the single view of minutely inquiring into the existing state of its education; and who, after probing the evils and abuses which he every where met with in his course, addresses these propositions to the states of Germany, as the only efficient remedy for their cure. That his wisdom was not listened to, that his experience was denied, that his courage was met with persecution—can easily be imagined. Basedow, during a long life, though occasionally patronised by some insignificant princes of his own country, and by some influential ones, such as Christian and Catherine, of others, made little or no impression on the educational systems of Germany. His attempt was characterised by the clergy as irreligious, by the people as arbitrary, by the governments as intrusive. The voluntary system still continued to mis-educate *ad libitum*, and all chances of Education Reform seemed to be indefinitely adjourned.

By degrees, a sense of the state importance of education began to appear. Frederick the Great had the hardihood to interfere with these privileges of the people. He dared to rescue the child from the ignorance of the parent, and insisted that he should extend his protection to mind as well as person. He required that every child should be educated, and looking for certainty instead of contingency, substituted law to the voluntary system in Prussia.

This was recognising, in a very decided manner, the necessity of universal education. But it was not yet education. Children were sent to schools, but schools were not yet re-

formed. There was a great distance indeed between this first step and Basedow's regeneration. The voluntary system had ceased, but the evils it had generated still continued.

A succeeding government saw this, and set wisely and earnestly about the task. Hardenberg and his colleagues saw the evil, and had the courage to adopt the remedy. The government which had imposed upon its people the necessity of education, had virtually taken upon itself the obligation of providing them with a good one. This they did. A Board or Council of Public Instruction was constituted, charged with the reform, and continued superintendence of national education, schools were established, or required to be established, in every Commune,—improved class-books provided,—teachers educated in seminaries for the purpose,—testimonials conferred according to merit,—their names and qualifications entered on lists for public inspection,—their salaries fixed, rewards and promotion assured according to services,—their appointment taken out of the hands of individuals, and, above all, an active and intelligent inspection exercised over every part of the system. In a word, every item of Basedow's project, one after the other, was adopted.

What has been the result in Prussia of this wise audacity? What was its education before; and what is its education now? What were the results of the voluntary,—the *ad libitum* system,—and what of the administrative and directive? We have only to compare the pages of Basedow with those of Cousin, 1770 with 1836. Is there no centre at present to which judicious suggestions and successful improvements may be addressed? Are there no books on natural and fixed principles, no methods in conformity to these books? From the *Lese-buch* of Schwabe, up to the *Prolusions* of the universities, all is regular, all graduated, all rational, all well taught. Are there no seminaries for teachers, no teachers worthy of the name? Is individual caprice still allowed to mar or retard, by injudicious appointments, the public interests? Potsdam and Schulpforta are known to all Europe. In such men as Schweitzer and Schwartz, and innumerable others, we recognise the wisdom of public selection. Schools are every where, and education, truly such, in every school. The whole population is in attendance, and funds, either by the reform and consolidation

recommended, of old endowments, or by new advances from the state itself, with scarcely any additional burthen on the public or individual, are abundantly provided, for the present and permanent working and enlargement, and improvement, wherever requisite, of the system. Such is the administrative, versus the voluntary system: which of the two gives education, and which gives it good?

Every other state on the Continent suffering under similar evils, has come to the same conclusion as to their causes, and successively adopted the same corrective. All of their early writers on education are merely echoes of Basedow. What was the state of public instruction in Bavaria and Wirtemberg, before their present education code was adopted?—Ask Adams and Loudon. What is its state now? St. Marc Girardin seems to prefer it to that of Prussia. How stood the case in Switzerland?—Pestalozzi, De Fellenberg, and Le Père Girard, give ample testimony to its deficiency, during the existence of the voluntary system. Zurich, Thurgau, and several other states have lately substituted the administrative. The results already are striking. On Lombardy, Austria has recently conferred a great blessing, if we are to credit the unanimous admission of its periodical writers: meagre information, capriciously given to a few, has been superseded by the universal diffusion of sound intellectual and moral instruction. Tuscany, the papal states in 1821, the kingdom of Naples in 1820, Greece immediately after her Revolution, Spain and Portugal after theirs, one after the other recognising the utter inefficiency of the voluntary system, after a prolonged trial of several years, have come to a similar determination, and solemnly declaring, in this regard, the duty, the responsibility of governments, have substituted a permanent and organised system, to the caprices and errors of individuals.

But no case is more instructive than that of France. Up to the period of the Revolution she enjoyed the voluntary system, in its fullest perfection. Education was a luxury. No one had a right to call for it, or to force it. The same government which at the peril of its existence was compelled to provide the people with bread, was indifferent, and allowed by that very people to be indifferent, to their spiritual nourish-

ment. The instruction which did exist was worse than no instruction at all. Contrasted, contradictory, and counteracting methods, exercised by hostile sectaries; books worthy of the drivelling of scholasticism; teachers who knew nothing, or could not teach what they knew, starving on salaries, miserable, yet beyond their merits; few schools, and proportionally fewer attendants: such was the voluntary system preluding to, and in a great degree producing the Revolution. The very first days of that great convulsion proved the long continuance of the evil, and soon directed the attention of the wise and thinking to a remedy. They saw that an external, uniting, and directing power—superior in every particular to those antagonist forces, which under the name of instruction were then dragging the public mind in different directions—was absolutely essential: “A peine M. de Talleyrand,” says the last Rapport of the Ministry of Public Instruction, “avait-il esquisé à grands traits l’organisation de l’enseignement public, que l’idée d’un ministère spécial surgit à côté de ce plan magnifique. Ce ministère devait embrasser non-seulement les écoles, mais les cultes, mais tout ce qui touche par quelque point à l’art, à la science, à la culture générale de l’esprit.”—*Rapport, &c.* page 3, 1836.

The Convention itself, during its short and stormy existence, had its “Comité de l’Instruction Publique;” the asylum of the few enlightened minds, who had wisdom and courage enough to collect and preserve the scattered fragments of the past, and guarantee to science a futurity, which has since been distinguished by every kind of glory. Napoleon paid little attention to popular education: he was himself the government; every system radiated from him. The succeeding dynasty was scarcely more favourable; and encouraged or discouraged, according to the fears or predilections of the religious systems then in conflict. Even after the Revolution of July there was still doubt, and fear, and hesitation. It was not till the 11th October, 1832, that, roused by the results of Cousin’s inquiries in Germany, France vigorously and largely set about a thorough re-organization, on an administrative and national plan, of her whole system of public education. The law of that year has brought her as far as Primary education, and she is now gradually proceeding on similar principles to



reconstruct its secondary and superior departments. Incomplete as the system yet is, there is enough to establish the question, and sufficient time and practice has been allowed to enable her to form a judgment of the advantages or disadvantages of this great reform. Her opinion of the superiority of a central and permanent power, to that which it has superseded, remains not merely undiminished, but strengthened by recent experience. "Toutefois," says the Rapport, "une conclusion nette, précise et ferme s'est arrêté dans nos esprits: c'est celle de la nécessité d'un Conseil. Dans la mobilité nécessaire des ministres sous l'empire de la majorité des deux chambres, il faut à l'enseignement public un lien d'unité, de constance, de tradition. Dans le pays où depuis trente ans, l'instruction publique a fait le plus de progrès, en Prusse, elle marche sous la direction d'un Conseil."—(pp. 7-8.) Nor have the results, either as regards the quantity or quality of education, contradicted this conviction. The courses prescribed for the two classes of elementary schools, are large and liberal; the provision for each branch of education, religious, physical, and intellectual, wise and conciliatory; the guarantee for the instruction and supply of teachers encouraging; and the measures now taking for the reform of class books, and the proper promotion and extension of lending and parochial libraries in every particular excellent. The *École Normale* of Versailles already rivals those of Germany, both in organization and numbers, and promises in a few years to furnish an admirable supply of teachers for a large portion of the population. The number of schools has proportionably increased, and in the rapid progress every where visible, even in those other departments which have not yet been revised, there is the most consoling assurance that she is at last in the right path, by placing her happiness, and her education, in the hands of the state, and beyond the chance direction of societies or individuals.

Many parts of Germany, Switzerland, and France, are free states, existing under constitutional governments, in many particulars more liberal than our own; composed of various religious denominations, equally jealous of their liberties and opinions with the inhabitants of these islands; and yet have they made no difficulty in adopting this organization; nor do their liberties or opinions appear to have suf-

ferred aggression or restraint in any wise, in consequence. But we may go farther, and examine its operation upon a congenial people. America, with all her jealousy of state interference, has in this instance allowed her good sense to conquer her natural predilections: The direct intervention of the legislature in the New England States, to which so much of the general diffusion and excellence of her public instruction is to be ascribed, the power and duties, of the Superintendent of Common schools in New York, acting under the directions of the State legislature and government, (whose activity and intelligence have mainly contributed to render popular education in that state on an uniform principle co-extensive with population,) are only other forms, more or less modified, of the directive or Board system recognised in Europe. Nor is this confined to the older or more aristocratic states. Kentucky, about to establish a new system of education, has recently, in the Report of her Commission of Inquiry, panegyricized the system of Prussia, as better calculated, in most particulars, than any other, to secure generally and permanently, a good system of education for the people.

Even in these countries there is an occasional approximation to the same general convictions. Scotland has long had, in her Acts of Parliament regulating schools, her system of taxation for their support, her examination and appointment of teachers, her fixed salaries, her periodical inspection, a sort of rude organization, which, if the Presbytery be considered the Board or Council, may fairly be regarded as in great degree an anti-voluntary, or in other words, a directive system.

Ireland has gone still farther, and, throwing off the voluntary and society system in due form, has adopted a central and administrative power, though yet maimed and incomplete, in her present Board of National education. In the midst of all this—in open defiance of this “consensus gentium”—still cherishing old evils, because they are old, and fearing to advance, until the entire world has preceded her, stands one state, which still adheres with pertinacious fidelity to the voluntary system, and looks, or is at least presumed to look, with horror on any state interference with her ancient privileges of ignorance and misinstruction. Speak to her of Prussia, and she answers you with “despotism;” of France, she retorts with “revolution” and

“irreligion;” of America, she stops your lips with “radicalism;” so that between despotism and anarchy, between slavery on one side and liberty on the other, she sees nothing but phantoms, and determines to starve herself lest by any chance the food proffered by her neighbours should prove to be poison. As there is usually, however, some method in her madness, we presume in this case she does not dissent from all civilized men, without some particularly cogent reason. Either the actual education of England is so exceedingly good, so widely diffused, so satisfactory an article, both in quantity and quality, that it would be utter folly, a direct insult to its recognised superiority, to attempt to improve it; or else the process of improvement through the organization recommended, however successful and innocuous in every other country, would in this produce such a complication of injuries and miseries, that she thinks it better to “bear the ills she has than fly to others that she “knows not of.” In other words, she would rather remain ignorant as she is, than risk enlightenment on conditions so precarious.

Now we are disposed to enter into the lists with her on both these propositions. We do not think the present education of England so very perfect, that it would, like our late Tory constitution, suffer by being touched—and farther are deliberately of opinion, that our liberties, Tory as well as Whig, would survive the appointment of a Board of National Education quite as well as they have survived Parliamentary and Municipal, and we doubt not will, in due season, survive Church Reform.

There is no national education in England. We have therefore no right to conclude from one school to a hundred,—we must prove them separately and individually, and get at them as we can. If we like variety, we have our choice. No two systems are alike, and there is a large mass who glory in having no system at all. Should we require information, we stand in the same predicament as Basedow, we have no authorised body to whom we can address ourselves. Societies of course there are—but so are there joint-stock banks, railroad companies, &c. Each of course in his own prospectus is all-perfect. But when we want, not praise but information, we have no alternative but to go to the school itself. If we take up with

less, we are sure to be deceived. If we inquire of a country gentleman, the progress of education in his neighbourhood, we are informed that he has been honoured with the thanks of this or that society at one of their late meetings, that he has spent 50 or 100*l.* during the last year in establishing a school (of brick and mortar), that he has placed there a teacher, (with a human countenance, and quite qualified to teach, that two and two are four) that books and slates have been sent down—(of the best description, for they were exceedingly dear) and that the bible is read and learned by heart (and at some future day will probably be comprehended). Should the patron be a lady, the case is more edifying. Her schools are well whitewashed, and well woodbined and trelliced, and compose picturesquely with her church-spire, and park-gate—the children curtsy—and every comer-in and goer-out praises the tasteful schools of Lady B. or Mrs. C. With such evidence of judicious arrangement, little doubt can be entertained of the signal progress of “National Education.” If he appeals to a benevolent society, all he can learn is, that the society are right, and their rivals are wrong. They are not merely bound to keep up their own system, but, like rival coach-companies, to run down as fast as possible their neighbours. This is only rational ; their’s being the only good system,—all others are of course quackeries. Thus proselytism, intellectual and moral, of all grades and colours, takes the place of charity and the school-room, which should be sacred to union, love of country, and Christianity, is made the arena of sectarian and political polemics. If the inquirer looks for the schools of the people, to the people themselves, he finds here and there, of course, numerous private speculations, set up, as would have been under other circumstances gin-shops and beer-houses, by this or that broken-down pauper—places where the mothers of the village may send children to be tormented or quieted, as the case may be, when they have not leisure for such purposes at home ; but as for schools, in the light of places of education, whence the people may really derive wholesome mental and moral nourishment, and to which they, and those who come after them, may look in their own right, as to sources of knowledge to be distributed over the land, such miracles

are not to be expected; if they exist, they are exceptions,—mere anomalies in the system.

But to speak more seriously on this really serious subject. What is *bonâ fide* the amount of education in England? We of course except the Universities, which are by prescription perfect, and in educating admirably, merely fulfil a law of their organization. We will not touch our Grammar schools and other learned endowments, after the lesson read to Lord Brougham by their natural protectors, nor dispute that no more effectual mode can be discovered of enlightening, than hiding a light under a bushel, or of instructing a people, than numerous over-paid teachers and few scholars. We will for the moment concede that Basedow's complaint of a similar felicitous arrangement in Germany, was a narrow-minded view of the case, that Germany knew not her own interests in attending to his suggestions, and that England will rue the day when she exchanges her own empty, but rich academies, for the poor but crowded Gymnasias of that country. We wish for the present solely to confine ourselves to an inquiry into the condition of the more popular education of England—the daily food of the lowest classes of her people—well assured that whatever result such condition shall give, it will soon be found making its way through all the other ranks of education.

It has been more than once stated in both Houses, that there has been a most rapid increase in the number of schools since 1820, and great joy has been expressed over the consoling and unexpected phenomenon. Nay more, though it is quite obvious they are in no degree adequate as yet to the wants of the country, this increase and continued demand have singularly enough been made the ground for limiting supplies, and abstaining from all other interference. Into the principle of such reasoning we do not profess to go; but were the schools twice as numerous, were the assurance ten-fold stronger than it really is, that they would soon be fully commensurate to the public wants, so far from this appearing a just ground for non-interference, it does seem to us the very strongest which could be devised for the contrary line of conduct. Of what consequence are numbers of scholars? What, we wish to know, is the nature of the schools? *that* is the really

important question. If good education be a good, bad education must be not less an evil. The number of schools may be a national curse or blessing, precisely in proportion to the quality, bad or good, of the schools. Now on this point—the point which should have been ascertained before any other was even asked—no question whatever seems to have been asked, or at least no answer at all satisfactory seems to have been given. The fact is, such answer could not be given as things now stand. English popular education is miserably bad, disgracefully deficient; and yet we congratulate ourselves on the people enduring such a system, nay more, positively triumph in its extension.

There are three or four descriptions of schools in our agricultural and manufacturing districts; none of them in any way answer the object of national education. Those which are supported solely by the contributions of the people, by their penny or two-pence a week, are held in any room or cottage, which any disbanded soldier, or travelling writing-master, or superannuated widow can pick up; and a most wretched pittance of little reading, less writing, and no arithmetic beyond addition and subtraction, is the sum total of the commodity which these hucksterers exchange for their stinted and precarious salary. Religious teaching, unfortunately, is now and then thrown in as a makeweight; a right and wrong reading of the Bible, just sufficient to puzzle the listless boy, or to mislead the inquisitive girl, is vouchsafed. And were even such a system as excellent as it is objectionable, there is no security beyond the pride, health, or caprice of the teacher, for its continuance a single hour. Any day in the week, he or she, with all their learning, may pack up and join any other of their fellow gipsies in seeking better fortune and greater fame elsewhere, and, like the occasional extinction of our metropolitan gas-lights, leave the village, for the time being, in all the horrors of moral and intellectual darkness.

This we consider to be the “*ne plus ultra*” of the voluntary system. Here there is enough of it, in every shape and for all parties. Not a shadow of encroachment on the rights of free men, in any possible form. The parent may send or not send, his children—he may contract with, beat down, bilk, or pay the teacher; the teacher may teach or misteach, or pretend to

teach or not teach at all; he may be drunk or sober—run away, or remain—every possible provision is made which the sense of liberty could desire, for the permanence of ignorance, and the precarious, insufficient, and often pernicious, education of the people.

Certain Squires and Clergymen, with all their headstrong devotion to our venerable institutions, have found out that this is one of the few of the number which may be reformed with advantage; accordingly, in their own immediate districts, they have ventured on curtailing these franchises, and proposing in exchange corresponding benefits. They so far travel out of the voluntary system, as to give ground for a school—to build the school—to provide the school with a teacher, who is at least under some agreement to remain, and to a certain degree, we believe, to teach, and who submits, in consideration of a fixed salary, to the penalty of being occasionally visited and inspected: all this have they done; and in some cases, strange to say, even more than all this. They have actually requested their tenants or flocks to send their children to the school so provided (and requests in such mouths are orders); and the people have assented to this infringement on their rights, and, as far as in them lay, surrendered, at discretion, the great principle of the voluntary system.

We only ask one question—if the legislature or state, had taken, in this instance, the place of the landlord or clergyman, where, as far as those rights are concerned, would be the material difference to the people?

In every other particular, however, the difference would be enormous. The landlord may die, or sell, or travel, or change his opinion, as well as residence; the clergyman may be promoted, and his successor may be *against*, as he was *for* education—what, in such cases, would follow?—Is it not obvious, that the whole fabric is absolutely dependent on the breath of a single man, and are such the structures upon which a nation is to rely for its intelligence, knowledge, and moral habits.

It is well too, if, during its existence, the school is worth any thing. To choose a teacher, the chooser, it should seem, ought to know a little at least of the nature of his duties. In how many cases does the patron or elector know any thing? and even

should he, through his own discernment or that of others, hit upon a proper instructor, is all yet effected? Is he not to have a voice in the organization, in the management of his own school? Is he not to prescribe the terms of admission, the course to be followed, and all the other items upon which its management so essentially depends? Is there no direct exclusion, no tax on conscientious dissent, no little Test act of his own insisted on as qualification for admission, which may go far to render his benevolence a barren gift to perhaps the most needy and deserving in his whole parish. Few, indeed, there are who ever make such gifts without looking for a corresponding return. If they give the school, they keep the patronage;—they erect it to their own selfishness, and fanaticism, and vanity, and not to the enlightenment or bettering of the country. The tenantry go to school to secure their holdings, or those of their family; but they are soon shown that the instruction given is not their own—they soon feel they have no *national right* to the blessing—they have no public right of way. Here are a thousand chances for perversion, as well as for dissolution. There is no one inducement to the parent to lay up in such a lath-and-plaster institution his natural hopes for his children or the country.

Benevolent gentlemen, who were neither landlords nor clergymen, saw this evil, and many others—stepped forward to remedy them, with another encroachment on the voluntary system—and took one more step, still nearer to state interference. The precariousness of *individual* support was obvious; the ignorance and assumption, and injury of *local* pretensions, not less so: aristocratic protection oppressed as often as it encouraged. There could be no guarantee against all these defects, but a “Society” permanently constituted, composed of members from various places and various ranks, who should hold popular education not as an accessory, but as a principal object of their labours, and devote their combined knowledge, as well as funds, to its establishment and support. This seemed plausible, and had we not the example before us, in Ireland, of the operation of such companies, would have deserved certainly a large share of the public confidence. The “British and Foreign Society,” and the “National Society” were successively established for the education of the English people. We shall not at present go into



any inquiry on their respective pretensions. Professor Pillans, than whom, assuredly, there are few better acquainted, from inquiry and practice, with the best systems of "National Education," has saved us that trouble. In his examination before the late Committee of the House of Commons on English education, he has pretty clearly delivered his opinion of the value of this machinery. He thus estimates the educational and "national" claims of the "National Society."

" Q. 494.—Is the question you allude to, religious instruction?—A. Yes! and even upon the extent of secular instruction there might be much difference of opinion: I conceive that the great defect in the system which the church has patronized, particularly hitherto, lies in the extremely limited nature of the information communicated; and being almost entirely confined to making members of the church of England, and inculcating a blind submission to her, instead of imparting along with religious instruction, that general information and intelligence which alone can make a school ultimately valuable to an individual who is to be in the lower walks of life. So narrow and unattractive is the instruction given in the schools which call themselves by a misnomer 'national,' that I think it by no means unlikely that a considerable portion of the pupils, ten years after quitting them, will be found to have lost the power of reading. So little are their minds imbued with the love of books, or of knowledge, by the school business, that they have little temptation, in the ordinary circumstances of a life of labour, to keep up the acquisition. I conceive that by far the most important point to be considered in a national system of education, is the course of instruction that ought to be followed; and that as long as the books perused, and the instructions delivered upon them, are of an exclusively religious cast, it is vain to expect that school training will contribute materially to form a moral, religious, and intelligent population."

The grounds of this conclusion appear in the next answer.

" Q. 495.—Then you do not approve of the plan adopted in some of the schools you have been mentioning abroad, where they merely have the Bible read, without any sort of examination taking place upon it?—A. No: so far from approving, I should think it worthy of all reprobation, inasmuch as it inculcates, by practice, the worst of all intellectual habits—that of reading without comprehending."

Such is the judgment of one of our first authorities, on what by its founders and managers is considered not merely an exception to the general character of English education, but in itself a great and successful educational reform. It is true, dissentients to this self-eulogy are numerous, amongst whom the British and Foreign School Society, founded on a much broader basis, claims the first place. But what has been the fortune of the latter? Has it avoided the errors of the National? Has it satisfied the great desideratum? Does

it render all further reform unnecessary? Let us again listen to Professor Pillans.

" Q. 522.—You make a remark with respect to the limitation of the subjects in instruction in England, do you apply that remark to the British and Foreign School Society, as well as the National Schools?—A. I do."

" Q. 523.—You think the course too limited in the Borough School?—A. Yes, but chiefly in this point of view, that the books for reading are too limited."

" A. 525.—They are both equally exclusive of secular instruction, except what may be introduced indirectly."

The British and Foreign Society has thus a slight advantage in its *indirect* secular instruction, over the National, but proportionably, it would seem, has it fallen in popular favour. The exclusive non-comprehension system, educates in its 3500 schools, 500,000 children, besides as many more in connection with it, which, if correct, gives it a great superiority over the Foreign and British, or the system of "indirect instruction."

These returns appear to have been very consoling to the strenuous friends of education, in our houses of Parliament; but is it not almost tantamount to counting up the actual obstacles to education as part and portions of education itself? "I regard," says Lord Brougham, "the mere planting of schools as wholly inadequate to meet the exigencies of the case. Mere reading, writing, ciphering, is not enough—a little natural history, and drawing, with grammar, and singing, I regard as essentially necessary, even in the most elementary education." Professor Pillans is of opinion, "that any system of education must depend upon the knowledge and ability of the schoolmasters, to an amount that almost involves the whole question of efficiency." These schools teach little of what Lord Brougham considers "as essential, even in the most elementary education," and with very few exceptions have not masters to teach them, upon whom depends, according to Professor Pillans, "the whole efficiency, even of the best system." Such are the actual reformers and regenerators of English education!

These observations may appear to be limited to the agricultural districts; in the manufacturing districts, it may naturally be supposed that education is not only more diffused, but of a far higher quality: better schools, better books, better teachers, better methods, &c. &c.. We shall

examine the question in all candour. Under the sanction of so high an authority as the Bishop of London, who speaks from his own experience on the subject, we have no objection to make this concession to the superior means and intelligence of our manufacturing population. We shall take the most important and advanced of these thriving communities, and inquire into the amount and nature of their actual education. Doubtless they have few of the difficulties to contend with, which beset the rural population. Instead of being separated by impassable firths and mountains a long period of the year, as in Scotland, instead of the constant demand for youthful labour, they are in close juxtaposition with each other, and are allowed numerous intervals by night and day, for intellectual moral culture. There, if any where, should teachers be found : the market, which supplies abundantly so many even of our most refined wants, ought, if such an article existed at all, be enabled to furnish it easily and liberally, whenever demanded by the public. There, if any where, ought intellectual labour to find its due reward, and public discrimination and favour produce proportionate exertion and competition, especially among our public instructors. We may fairly consider the position, in all these particulars, of such a community as Manchester or Liverpool, as a favourable type of the actual working of the existing system, throughout all the other districts of England. Fortunately too in this inquiry, we have the advantage of competent and unexceptionable evidence. The Manchester Statistical Society, to whose "Reports" on this interesting topic we shall presently advert, have had full opportunities, wide experience, and by situation, character, acquirements, and pursuits, are eminently fitted for such investigations. By their statements, we abide. We shall soon see whether we can, with equal security, concur in their conclusions.

The first inquiry usually made on these occasions (though to us it does not appear to stand first in importance), is the amount of schools, number of scholars, &c., confounded of course with the amount of education. We then come to what more properly should have preceded—the nature of the education given, both physical and moral—the material of the schools—site, building, &c. ; the books used, the teachers, the general course and method of instruction, &c. &c. The Society

conducted inquiries on each of these heads in 1834 in the borough of Manchester; in 1835 in those of Salford and Bury; and in 1836 in that of Liverpool. Their researches furnish us with abundant materials. We shall compare their evidence in the following order :

### *I.—Number of Schools and Scholars.*

The Committee of the House of Commons, on Metropolitan Education, some years ago, stated “ That a large number of “ poor children were wholly without the means of instruction, “ although the parents appeared to be generally desirous of “ obtaining that advantage for them.” It does not appear, though the subsequent Committee of 1818 remarked that populous places had the principal benefit of the exertions of Societies, that this deficiency was adequately supplied; and we shall now find, in spite of all assertions to the contrary, that there still remains, in our most flourishing towns, the same “ hiatus; an immense number of poor children wholly without “ the means of instruction.”

*Manchester.*—Population 200,000, of whom

10,108 attend day and evening schools *only*.

10,011 attend both day and evening schools.

23,185 attend Sunday schools only.

---

43,304

The number of persons receiving education of some kind or other, is thus, 21.65. per cent. of the whole population. Deducting 10,000 for scholars under 5 and above 15, which is probably somewhat less than the truth, and taking 50,000, the number of children, between 5 and 15, it would appear that only two-thirds (33,000) were educated, and one-third were receiving no instruction whatsoever.

*Salford.*—Population 55,000.

Receiving no instruction 3,100, 22½ per cent. of population.

*Bury.*—Population... 20,000.

Receiving no education... 700.

*Liverpool.*—Population :

Number of children between

5 and 15 ..... 57,200.

Receiving education..... 27,200.

Receiving no education, 30,000, more than half

These returns, particularly the last, speak for themselves. Even if the education given were excellent, to how many does it extend ?

## II.—Schools, &c.

*Manchester.*—"These schools are generally found in very dirty, unwholesome rooms, frequently in damp cellars, or old dilapidated garrets—attributable to the extreme poverty of the masters\*."

*Salford.*—"The poorer rooms of this class, are kept in dark and confined rooms, ill-furnished, and some are found in situations exposed to noxious effluvia. The benefits of sufficient room, good light, and cleanliness, are remarkable. In the few schools, possessed of these advantages, quietness and order were found to prevail in a great degree."

*Bury.*—"In somewhat neater order, but still bad. The school-rooms are applied to various other purposes."

*Liverpool.*—"An universal want of school-rooms to receive the children."

We now proceed to their means of support. Such schools, it would seem, would require little popular assistance; that little is scantily and disproportionately vouchsafed. And we yet hear of the danger of legal assessment drying up the springs of voluntary benevolence! How little has it here to dry up!

## III.—Payment.

*Manchester.*—"They (the teachers) are hardly able to provide the commonest necessities."

*Salford.*—"The payments made by the parents (in the Dame schools), as may be deduced from table 3, yield a miserable income, and in some instances the teachers are dependent upon the poor-rate to eke out the means of subsistence. Some of the teachers follow another occupation, such as shop-keeping, sewing, washing, &c."

*Bury.*—"The remuneration to the teachers of these schools is indeed too insignificant to admit of their being conducted on a much better system, as the whole receipts do not average more than 19*l.* per annum, and even of this scanty income a part is generally lost, owing to the difficulties of procuring regular payments from the scholars." In the common schools, their annual receipts form "a smaller sum than common industry would procure them in many mechanical and manufacturing employments. As long as this continues to be the case, we can scarcely expect any material amendment in the character of these schools."

*Liverpool.*—"Many parents never pay, and it often happens that children after remaining two or three weeks at school, during which no money is forthcoming, are sent back to their parents. In some cases, where the parents are

---

\* "In one of these schools eleven children were found in a small room, in which one of the children of the mistress was lying in bed ill of the measles. Another child had died of the same complaint a few days before; and no less than thirty of the usual scholars were then confined at home by the same disease."—

*Manchester Report*, p. 8.

sick or in difficulties, the master consents to retain the children and to take his chance of payment at some future time.

"Not less than ten of the mistresses of the Dame schools in the parish of Liverpool, acknowledged to being in the receipt of assistance from the poor-rates; and such is the poverty and destitution of some of these schoolmistresses, that they cannot even provide forms for the children to sit upon."

It may easily be imagined that when such, and so precarious, are the means of support, teachers are not likely to be found in any degree qualified for such a situation. No man so qualified, would apply his talents and labour to such purposes. Nor is this all—every other evil is consequent upon this deficiency: not even the most necessary articles for instruction, such as books, are to be had.

#### IV.—*Books, &c.*

*Manchester.*—"In by far the greater number of these schools, there are only two or three books among the whole number of scholars. In others, there is not one; the children depended for their instruction on the chance of some one of them bringing a book, or part of one, from home." . . . "In almost all cases the supply is exceedingly deficient."

*Salford.*—"Very few of the schools were found by your committee to possess more than fragments of books, and in many cases no books were to be seen, the mistress not having the means, had she the inclination, to procure them, and the parents neglecting to do so."

*Bury.*—"The poorer schools of this class are very ill provided with books."

*Liverpool.*—"Dame schools are almost universally ill supplied with books. The poverty of the mistress renders it quite out of her power, and the parents neglect to furnish their children with them, either from the same cause or from indifference. In many of those schools which are not wholly destitute, the books are of such a mixed character as to defy enumeration, consisting of old magazines, of parts of novels, or sermons, and sometimes even of political pamphlets."

It may easily be imagined that when the material organization for instruction is so defective, instruction itself must be still worse off. So indeed it happens; the teachers are utterly unfit for their duties, moral or intellectual, their instruction of course wretched, and the knowledge and discipline miserable in the extreme.

#### V.—*Teachers.*

*Manchester.*—"The greater part of them (the schools) are kept by females, but some by old men, whose only qualification for this employment seems to be their unfitness for every other. Many of the teachers are engaged at the same time in some other employment, such as shop-keeping, sewing, washing, &c. &c., which renders any regular instruction among their scholars absolutely impossible."

"The masters in general are in no wise qualified for their occupation, take very little interest in it, and show very little inclination to adopt any of the improvements that have elsewhere been made in the system of education."

*Salford*.—"In the Dame schools, very little instruction is conveyed. The generality are wholly incompetent to the task, and their ignorance on the most common topics, is lamentable."

*Bury*.—"Of the teachers of the Dame schools, only two state themselves to have been educated for the profession, and no fewer than eight have other avocations, which they pursue even during school hours, and in some instances, in an adjoining room, and very few of them allow the duties which they owe to their scholars, to interfere with their household occupations."

*Liverpool*.—"It is not uncommon to find the mistress of a Dame school gone out for the day, and her school is left in charge of some neighbour, or neighbour's child. Sometimes she is found washing at the back of the house; at other times, the washing and drying is carried on in the school."

"On one occasion, the children of a Common day-school were found playing in a garret, and it was stated that the master had been away drinking for several days together\*."

The instruction, it may be anticipated, very accurately corresponds.

## VI.—*Instruction.*

*Manchester*.—"Of those who attend the Dame schools, the vast majority receive no education, which is at all deserving the name."—"This is the most numerous class of schools, and they are generally in the most deplorable condition."—"In the great majority of these schools (common schools), there seems to be a complete want of order and system, nearly inefficient for any purposes of real education."

"Religious instruction is seldom attended to beyond the rehearsal of the Catechism; and moral education, real cultivation of mind and improvement of character, are totally neglected. 'Morals' said one master, in answer to our inquiry, whether he taught them 'morals!' 'How am I to teach morals to the 'like of these?'"

*Salford*.—"Of the whole 1543 children in these schools, barely one-third can be said to learn *any thing*."

Morals seem to be as little attended to as at Manchester.

\* "One master," says the Liverpool Report, "who had stated that he used the globes, was asked, if he had both, or one only. He replied, 'both; how could I teach geography with one?' Being further questioned on the subject, it appeared that both were in his opinion necessary, because one was supposed to represent one half, and the other, the remaining half of the world."

"Some were more honest. One conscientious teacher of a Common boys' day-school, an Irishman, being asked, if he taught grammar, replied, very candidly, 'Faith, and its I that don't; if I did, I must *tache* that thing I don't know myself.'"

*Bury.*—"Equally inefficient with those of Manchester, for the real purposes of education, rather as asylums for mischievous children, than as actual seminaries of instruction, which indeed, the superintendents are seldom qualified to render them."

*Liverpool.*—"It has been seen, that in the Dame schools, to teach the children to read, is, in every instance but one or two, the whole of what is professed. In the Common day-schools, much more than this is professed, but little more is actually done."

"The pupils are in very few cases obliged to go through any course of instruction presented by the master. They may learn as little as they and their parents please."

Religious and moral instruction is still worse provided for. Religion is synonymous with the repetition of a catechism; and as to morals,

"An agent could find no evidence that systematic training in the principles of morals was ever attempted, or even supposed to be possible. In the poorest schools no pretence is made to teach morals, and many teachers have no idea what teaching morals can possibly mean\*."

We have only one escape from these pressing statements. It is possible that these may be the opinions of individuals perfectly impartial, and yet furnish no accurate picture. There may be exaggeration in numbers and details. The education thus described may be that of a very small proportion, and the description rest on data, communicated by persons hostile to the existing system. Unfortunately, we are not allowed even this consolation. Much the larger mass of the children educated are to be found in these schools, and the charity and endowed establishments are, with few exceptions, very little better. The National and other Societies, and superior private teachers instruct comparatively but an insignificant proportion of the people; and with reference to the first mentioned, we have already seen sufficient reason to consider the nature and amount of its instruction as far below the idea we have formed of a good national education. With regard to unfavourable or hostile exaggerations, whatever exagge-

---

\* "The school mistresses were usually requested to count their scholars. One had conscientious scruples, and was deaf to persuasion, saying, it would be flat flying in the face of Providence. 'No, no!' said she, 'you shan't catch me counting; see what a pretty mess David made of it, when he counted the children of Israel.'"—*Liverpool Report*.

"Two teachers of Dame schools were girls of thirteen years of age; one of whom had been left by her father, after his wife's death, to support herself and an infant brother: others, of the respective ages of seventy-five, eighty, and eighty-three, were to be met with."—*Ibid*.



rations do exist, they lie altogether the other way. The Committee in all cases directly addressed themselves to the teachers, and their natural anxiety to represent every thing in the most favourable light, lest they might be reported as inefficient to government (under whom they supposed the inquiry was conducted), and thus give rise to the establishment of a rival system, led them in general into statements which were above rather than below the truth. The more important data, however, do not depend even upon their testimony: the Committee examined every thing personally, with their own ears and eyes.

We are thus left no alternative, and, despite of our natural self-complacency, must concur with the last (or the Liverpool) Report, which echoes the voice of all the others, in the following conclusion:

*"Taking this as a fair measure of the quantity and quality of the education received by the children of the working classes in this country, and comparing it with what may be done, and what in other civilised countries has been done for the education of the same class, the result is one which cannot be dwelt on without some feeling of pain and humiliation."*

Of pain and humiliation indeed! When that passage of the Report was read in the Statistical section of the British Association, at its late meeting, it was heard with a murmur of mingled surprise and indignation, which very intelligibly indicated the opinion of the enlightened classes of the community on the merits of the present system. It was with deep humiliation indeed, that the friends of education had to witness the impression which this report made upon the Baron Dupin and other reformers of similar evils on the Continent then present, and felt they had no other answer to make to the inquiries why such abuses were not instantly corrected, than the usual dictum of our legislature and government—"Education is rapidly advancing."

But the time is fast approaching when another answer must be rendered to this question. It is now, beyond all controversy, proved, to our utter disgrace, that the education of England is in as low a state as it well can be in any country with the slightest pretensions to civilization. The great question is, how it shall become, not better—that is a feeble term—but such as may thoroughly meet, not in quantity only, but in

quality, the demands of the nineteenth century and the moral station of the British empire? It is quite clear, to all but the "Dames" and their colleagues, and, we doubt not, to many of them also, that the system hitherto tried has most signally and universally failed. Are we to persevere in the blunders, notwithstanding all these advertisements, or look for another; and if for another, what is to be that system?

One party says, by allowing things to work on of themselves they will gradually attain perfection. There is a recuperative principle in the voluntary system. Whatever facts may say to the contrary, it works well in many instances; give it time, and it will work admirably in all.

With these gentlemen we have nothing to do. The voluntary system has had time, and it works execrably. Giving time did not pass the Reform or Emancipation Bills.

A second party, praising the voluntary system in gross, act against it in part. It works admirably; but still it may be made to work better. They are for allowing it to go on, now and then giving it a hesitating aid in the form of a penurious grant, or a model Normal school. But as to checking its evils, daily and hourly inflicted on the community by a more active, liberal, and uniform interference, that would betray a total disregard to the public and education. It would "oppress" one, and render the other "hateful."

We have no patience with these political Homœopathists. They are inconsistent, which the others are not. They believe neither in the efficacy of the voluntary system, nor of the state system, and try to combine both, in that very precise manner in which neither, by any possibility, can be serviceable.

A third party says—we care not how it may be called. All we know, is, that the present system, whether with aid, or without aid, is working as ill as any system can work. We do not see how it can be made to work better, with its present agents and machinery: we are therefore for another, far better organization, and more effective instruments. For this, a superior body and power is requisite. That power we see in state interference.

Which of these parties are in the right? Let us examine a little into the grounds of their opinions.

Those who are for things as they are, are either enemies or friends to education. If enemies, they are quite consistent. If friends, they mistake the schools of Manchester, Salford, &c., for education. This mistake is so flagrant, that it at once declares them incompetent to pronounce, in any one way, upon such questions.

But it is urged, they will reform themselves, or a better description of schools will supersede them. Neither is to be hoped for. These schools have shown no symptoms of such reform since the report of 1818. Dames and teachers entertain the utmost confidence in their own superiority,—the greatest hostility to the new methods,—the greatest objection to all kind of inquiry. The parents are, for the most part, with the teachers. It is not the quality, but the price of instruction, which weighs with the poor. Were they inclined to pay, they are not judges of the value of what they are to pay for. As long as the school master can afford to give a miserable drug for sound food, at a low price, they will take it: as long as there is no higher price, there will be little to draw a good article into the market.

Better schools will supersede them! They have not even approached it yet. When is this improvement to take place? Is it nothing, that in the interval, all this bad education is going on for two-thirds of the population, and no education whatever for the remainder? The instruction of five or six years determines the character of a generation. The question is, not whether at some indefinite period we are to have better schools, but whether, in the interval, we are to have a race of bad and ignorant fellow-citizens?

Even were such result more probable than it is, what are these schools? A few degrees, and a very few, less mischievous than those which are to be superseded.

We again ask, who is to build school-houses, provide books, train teachers, improve methods? This system or another? If this, why has it not done so already? The reports, one and all, exclaim, that it not only has not, but that it can never effect it.

The men who support such reasoning, are friends and no friends to education. They desire, and do not desire, at the same time.

The second party are not less absurd. They deprecate state interference, and yet give state money, and propose state training.

They would not dry up the sources of private benevolence; but they yet vote 20,000*l.* for schools. The meaning of this is, not that they would spare the community so much money, (that cannot be avoided), but that they think it right it should be contributed by certain individuals, rather than by others. Who are they who give it, and why do they give it? They are the benevolent, and they give it because they are the benevolent. They are thus taxed for their virtue, whilst the selfish are exempted for their vice. We are for a far different course of proceeding. We would not dry up these waters, but spread them out. The subscription system (even where societies are in question), is capricious, fluctuating, ill apportioned, and ill maintained. But assessments, it is urged, will fall on those who are least able to bear it. This by no means follows. Those who now pay, are very probably the least able to pay. The law of opinion is the strongest of laws, and the sensitive and generous are usually the persons most affected by its operation. A tax like that on the Heritors in Scotland, would work very differently, it would fall, where it should fall, on the rich, and not on the poor of the community.

But why give 20,000*l.*, why give any thing? Oh! we must assist—we must give a stimulus; we should like to know to what? To education? Are we so certain that it is education that we stimulate? Do we give this stimulus? Have we any assurance of either fact from those *through* whom, or from those *to* whom it is given. It is given through the Treasury, and to the schools already noticed under the management of the National and British Societies.

Through the Treasury!—an admirable Board truly of Education! The Treasury is already notorious for having far too much to do even in its own department. The Treasury is literally the government: any one who knows any thing about the Treasury, must know that it has so much to administer, that it hardly knows the limits of its own functions. Twenty different questions are brought up in the same hour—from grave to gay—from whips to public festivities,—whiskey *versus* paintings—soap *versus* newspapers. “My Lords”

have to dispose of an entire Encyclopædia every morning. A junior lord, coming into office, might ask in vain for a program of his duties and powers; not the Joint Secretaries themselves, after the most diligent comparison of notes, could accurately furnish it, for the simple reason, that they are as indefinite as countless in this Briarean establishment. And this is the body we select in our wisdom for a Council, in a true shopkeeper spirit, simply because it has the doling out of so many pounds, shillings, and pence, as if the money giving was not the very least part of the functions of a Board of Education; as if it was not the first duty of all, to see that it was money wisely spent, and not injudiciously lavished. The name Treasury in some ears sounds economy—but economy does not depend so much on amount, as object—a shilling may be thrown away, and thousands laid out to advantage. Can the Treasury tell where this advantage lies? Has it hands and heads enough for the purpose? The very last report of the French “*Conseil d’Instruction Publique*,” shows that they find the actual duties much too onerous for a single board, like theirs, without adjuncts. But the little finger of our Treasury is heavier than their loins. We administer with a steam machinery, a high pressure of our own, and compassionate with scornful self-complacency the hand-loom work of our neighbours.

But the Treasury, it is answered, is not called on to inspect. It simply gives out the money, and accounts for it to Parliament.

Gives out, and does not inspect! does not inspect, and accounts to Parliament! Why, what a confusion of all duties and responsibilities is here! If the money so confidently bestowed be improperly bestowed, we should like to know how it is to advance the object for which it was bestowed? How is it to promote education, unless applied to education? And how is Parliament to be assured that it is applied to education, unless it be applied to a good system. The money is voted for the extension of schools. True; but is it quite sure that the school is built in the best situation, where most wanted, and most accessible; of the best construction and materials, after the most approved models,—on a good tenure, likely in future to be supported? Above all, is it for the uses of a judicious system of intellectual and moral culture? If it be not all these,

or the most of these, if it be the reverse of all these, it is obvious the money is flagrantly misapplied—is unwisely, nay, injuriously squandered. Can this, or any portion of this, be ascertained without inquiry—without inspection? Is the Treasury to exercise the inspection? If so, “quoad” such functions, it is in the true sense of the word a Board of Education, though a very bad one—and all argument on the principle of State interference is at an end. If not, we simply ask how can these points, upon which the whole propriety of voting or not voting the money depends, be ascertained? And without such assurance, what utter absurdity to talk of accounting—and accounting too to a British reformed Parliament.

Oh, but we have guarantees for all this, say the advisers of this semi-state interference. It is distributed to Societies on whom we rely, whose character alone is sufficient to assure us that it will be well applied—that is to the true, the best interests of National Education.

Are we quite sure of all this?—Let us examine the question a little. It is in the first instance given to Societies, which of itself implies it is not given to the Nation. We know enough of the mode in which “National Education” has been carried on by “Societies” not to hope much from them of national good. The very name indicates another competitor appearing in the arena—not a great national instrument in the hands of the nation itself.—As its principle and action, so also are its results. How long have these National Societies existed? How far are they yet from embracing the nation? Even in the most enlightened districts, where the press and the public are most vigilant—in the very heart of our civilization these admitted nuisances, the Dame and Common Schools, still hold out victoriously against them. Nor is this strange:—to whom are they to appeal?—with what powers are they armed? If they address themselves to the poor—they address themselves to the worst of all judges; if to the rich, or to subscribers, they are sure to meet with patronisers and intermeddlers. They have no powers, and can only use words against words. Were they even somewhat more victorious than they actually are, is either system of such pre-eminent excellence as to merit the public encouragement? They may be the best to be had at present, but assuredly not the best which might be had. They

are far behind the public exigencies; were they perfect, perfection itself, depending, as it does, upon men and circumstances, requires constant and vigilant inspection. But perfect they cannot *both* be, for we find them founded on fundamental principles directly opposed to one another. Government, by way of keeping up a strict non-intervention system, patronizes and encourages both. The annual grant is divided according to the heads counted or furnished in the respective schools; the "multa" instead of the "multum" is the object; it thus happens that the very Society which requires the most assistance, is sure to obtain the least. Whether this be on the principle of taking numbers for scholars, we shall not decide; but were the wisdom of such arrangement above all impeachment, still the country has no sort of surety that it will lead to any permanent result. The nation contributes to establish a school, but there is no certainty it will not be shut up, or pulled down the very next year. The very existence of a Society is proverbially fluctuating, and often transitory; and upon such hairs we consent to hang the destinies of future generations! National education should be bound up with something co-existent with the life of a nation; on the contrary, we are satisfied with the very precarious lease of the life of individuals. We know nothing of school, site, tenure, teachers, or subscribers—we inspect nothing—we check nothing—we direct nothing—and yet we still talk of guarantees! Each society may have its inspectors, guardians, and councils:

" At quis custodiet ipsos

" Custodes,"

who is to inspect, guard, and direct the society itself?

A second instance of this semi-state interference is the proposed establishment of Normal schools. The utter incompetency of the present race of schoolmasters is acknowledged. It is attributed to two causes—the low moral character and intellectual inferiority of the individual, but this again to the low payment. Now we have not heard that it is also proposed to raise the salary. Oh no! the government has nothing to say to that; it will naturally rise, in proportion as the masters improve. The article will be worth more, and will of course fetch more in the education market. That by no means follows. Bring

a dear patent plough into a poor country village: it does not follow, "of course," that the poor inhabitants will buy, though told, over and over again, it is fully worth every shilling asked for it. To enable them to buy, two conditions are necessary. They must think it worth their money, and they must have the money to pay for it. This is not the case with parents who send their children to Dame and Common schools. The value of the schoolmaster, in their eyes, is the lowness of his demand. To fill the Normal school when built, there must be some attraction beyond it. To induce men to dedicate years and labour to preparation, they must value the end for which they are preparing. The salary must be superior to a mechanic's, if we would have others than mechanics teach our children. It must be higher; and not only higher, but more certain. It must be held as a *right*, of which the individual cannot be deprived, but for incompetency or misconduct, and then on trial, and that trial open; there must be chance, nay, certainty, of promotion, if there be also merit; finally, there must be the conviction that years will not be wasted in the profession without reward; and that comfort awaits those latter days, when the labourer can no longer work, and age should at last sit down and enjoy: then, indeed, we might talk of it as a fourth learned profession: by such arrangements we really and *bonâ fide* place it on such a footing in point of emolument and respectability; but leaving it, as we now do, at the mercy of every whim and accident;—no pledge of appointment, no pledge of continuance; a Society, or the Committee of a Society, or the individuals of a Committee—the appointers, continuers, and dismissers, if so they will, in any way, and after any trial, or without any trial at all, of every officer under them,—we announce, at the very gate of the profession, that it is one which no man of mind or character ought to enter who can proceed to any other, or continue in any longer than may be necessary to assist him in his passage to any other. Compel a Society to establish laws to prevent all this, and then, doubtless, you give guarantees to the teacher and the public; but such compulsion would be direct state interference; as such, of course, intolerable; or, if tolerated, no reason could any longer exist why you should not go farther. Until this, however, or something like this, be done, Normal schools we



may have; but we shall not have Normal students to fill them; or, if we have, we shall only educate young men beyond the demand of the market, and far beyond all chances of future competency and happiness.

But Normal schools, filled or not, must be organized and conducted upon some certain principles. Establishment and superintendence imply choice and adherence to a choice. Here the State directly prescribes—actually lays down through the Treasury, or Treasury employés, a code for the management of these establishments, from which they shall not be permitted to swerve; for no legislature, it is to be supposed, will grant money to institutions in open hostility to its views and wishes. The more or less is of no moment: a single instance constitutes a principle. It is also to be presumed, that they who found such institutions, are anxious that the teachers educated in them should supersede every other, and for such purposes doubtless will adopt all legitimate means. Here we have the State directing the education of its teachers, and its teachers conducting the education of the country; and we yet profess a horror of State interference!

Lending libraries for parishes come next. They are another state remedy. Here the whole of the last argument applies. If a new Parliament gives money for books, it is, we suppose, for good books; but who is to decide whether the books chosen be good or bad? That difficulty is soon got over—the omniscient Treasury is again called in. “My Lords,” vote themselves pro tem: a “Congregazione dell’ Indice.” It takes some time in the Irish Board, and still more in the French, to decide these matters (*see last Report*, pp. 8–11); but the Treasury is more off hand: it is not so hyper-critical. The Treasury is a great practical machine; we should like to see, in this instance, its mode of working. Lists for books come up from schools or committees in the country: from one, fiercely polemical; from another, fanatically, or fantastically religious; from a third, all for amusement; from a fourth, strongly redolent of radicalism; from a fifth, strenuously conservative, &c. &c. Only imagine such an Areopagus, with such pleaders, and all pleading together, and all for such different objects, and with such different views, before them. Decide they must. and decide they can’t—what are “My Lords” to do? They

call in assessors, in the dilemma ; consult out of doors their particular wise men ; scratch out, or leave in, as their cabinet oracle may prompt them, and send back the list with their amendments, and their "exequatur" to the country. In all this proceeding, two things are tolerably visible: State interference in all its flagrancy, and State interference of the very worst description ; the interference of men in power, responsible it is true, but knowing, as may be expected, very little of the matter ; and of men out of power, knowing something, but utterly irresponsible to government or the country.

From beginning to end, then—precisely as most half measures usually are,—there is, in this project for remedying existing abuses, the evil of the two systems: government interference in a thousand shapes ; but government interference hurried, incompetent, and inadequate. What, then, is to be done? The evil is general, pressing, incontrovertible. All remedies hitherto tried have failed. Basedow and Cousin answer us.

The state in which Germany lay when Basedow prescribed for her, was precisely that in which we now are. The state in which Germany now is, described by Cousin, confirmed by St. Marc Girardin, by Mr. James, and a host of others, is that to which we so vainly aspire. What has wrought the change? Basedow's remedies or ours?

But what is good in one country may be bad when applied to another. Doubtless ; but what has proved good in *every* other country, is surely somewhat likely to prove good in the *only one* in which it has not yet been tried.

The preceding pages abundantly prove, that education, left to itself, will not reform itself. The reform must come from without. To carry it into effect here as elsewhere, a superior power must intervene.

This power must be the executive or the Government, acting under definite laws and in a permanent form, in combination with the People. This is not practicable without a distinct department.

But we do not advocate a "centralisation pure;" we propose with it corresponding checks and guards. We have said "in combination with the People." These checks will be

found in the Legislature on one side, and in local Councils and Committees on the other.

We do not compel any, we provide for all; but we take care that whatever is provided is good and permanent. We do not well see in this, we confess, either "Prussian drill, or "despotism." We only see that what is now done ill and at random by the worst of instruments, will be well done according to rule and principle, by an instrument qualified to do it.

To resume: we propose a Board solely and separately confined to Education; at its head, as in the case of other departments, a Minister, through whom all grants should come, and on whom all responsibility should rest. To this Board should be given large powers of building and outfitting schools, training and appointing teachers, providing and prescribing books, powers of inquiry, direction, and controul. On the side of the people, a corresponding organization will be necessary, with powers of assessment for maintenance of teachers and repairs, powers of management, and inspection through local committees and visitors.

To this Board, in the first instance, we would confide elementary, and successively all the other branches of education; in fine, generally, whatever regarded the moral and intellectual advancement of the country, now distributed amongst the departments of the Home secretary, the Treasury, and the Commissioners of the Woods and Forests.

This is that third expedient which has not yet been ventured, and which, if we know any thing of the working of administration, or the general tendencies of system in bringing into direct and efficient action the scattered intelligence and energy of a country, we have a thorough conviction, would in very few years succeed in producing that change, to produce which the voluntary system has hitherto laboured in vain.

Little has yet been done, either by Government or Legislature in the way of progress to so desirable a result. So early as the beginning of the Liverpool administration, a Bill for National Education, embracing many of these views, was presented to the minister, and, as it is said, favourably received. But there it remained. The House of Commons, since that period, from

time to time, has occasionally given signs of a sense of existing abuse, and a desire for their correction. Committees have appeared and disappeared, but with little or no trace of their passing. That of 1818, led indeed to an inquiry into Charitable foundations, and, subsequently, in 1820, to the narrow based and somewhat temporising bill of Lord Brougham. The English Committee of 1834 and 1835, was so very fairly constituted of utterly opposite opinions, that (as might naturally have been expected, on an axiom as true in the moral as in the physical world,) they soon came to a dead lock :—like the two Houses at present, they stood stock still. After two years taking facts and opinions in evidence, they ended their sittings by shrinking from pronouncing any opinion at all. Ireland has been somewhat more fortunate. She has got rid of her voluntary, and what was not less detrimental, her semi-state interference through chartered, and other joint-stock education societies, and is now in possession of an organization, to a great degree, on the principles just recommended. If it does not work better, it is not because such system has been adopted, but because it has not been carried out to its full extent. Wheels and cogs have been omitted in the construction of the Normal school administration—the local Committees, the local powers of assessment, management, &c. &c., have not been thought of, or delayed—no wonder then, that, with such defects, the machinery should be subject to revulsions and jerks. An Irish Education Committee is still sitting, with a view, we understand, not only to remedy these wants, but to extend, on an uniform and permanent basis, such advantages to other branches of education. We trust that whatever conclusion they may come to, they will hold in view, that it is altogether loss of time and means, to proceed upon arrangements which all recent experience must convince them can never be productive of any other result, than utter disappointment. They must take larger measure of this great question, than has hitherto been usual in either house of the legislature: they must wield it not as an instrument of party, but as the most powerful of modern means, when well and wisely directed, for the inmost regeneration of the country. They must rescue it from the innumerable experiments of

vanity and ignorance, from the degradation of pauperism, from the fanaticism of political and religious sectaries from the niggard and capricious benevolence of patronage. They must make it a national care, in order that it may become a national blessing,—found it upon public assent and control, and fence it round with well understood official responsibility. It is quite time that all this miserable mis-management of great means to little purpose, should terminate, and that the country, no longer trembling to use its own servants, and its own means for its own interests, should, by a solemn act of the legislature, take this first of national interests into its own hands, organise a Board of National Education for the Empire, and entrust to its administration the extension and improvement of every one of the departments of Public Instruction. Our childish fears, on this head, have been a subject of jest to all Europe. We boast of our liberties, and make no scruple of sacrificing the intellect, character, and liberty of the child to the parent: we talk of our government, and with over government, and over legislation, on so many sides, on this, which is the very pivot of all society and civilization, we refuse to govern or legislate at all. Both parties admit that the end is desirable, but both shrink from using the means to attain it. They both create an instrument which may successively be turned against each. But is this a question to be treated like an Ipswich or a Dublin election petition? Is posterity, as well as the existing generation—is mind as well as matter—are all the highest interests of mankind, to be played as so many base counters in this or that political game? The country has hitherto been silent; but the country has not less thought on this question, and the time is not far off when its thoughts and wishes will assuredly find words. It is utterly vain, to think that thousands and thousands of reflecting and benevolent men, who form the soundest part of our great community, will suffer this anomalous, half-education, mis-education system any longer. They must measure themselves with other nations; and it is impossible that they will consent, by a neglect or refusal of means almost within their grasp, to be thus thrown behind. In every meeting, in every knot of three or four, in every publication, from the grave treatise to

the passing periodical, intimations of this spirit break forth. How the great object shall be brought about—with what modifications of place, persons, and time—with what distribution of powers and duties—it is not for us at present to state. We limit ourselves to pointing out its certainty, its necessity, a certainty every day more obvious, in proportion as such necessity presses more strongly on the consideration and interests of the country. Each of the Reports concludes in loudly calling, under one form or other, for such reform. In the language of the last, that of Liverpool, we feel thoroughly convinced that “improvement in this class of schools is “hopeless, so long as they remain without assistance and “direction from some body vastly superior, both in pecuniary “means and in intelligence, to those in whose hands they “now are.” In other words, until the nation itself shall step in and take the place of individuals or Societies, who have hitherto assumed her functions—until Education shall be established, advanced, improved, and extended, like every other great public interest, *by* the public, and *for* the public—until the Voluntary system shall cede to the State system—we see as little chance for these islands, as Basedow once saw for Germany, of a good system (the only one we advocate) of National Education.

---

#### ARTICLE XI.

*A Letter to a Constituent on the present State of Affairs.* By H. L. BULWER, Esq. M.P. Seventh Edition. London: 1836.

*Speech of the Right Hon. LORD LYNDEHURST,* August 18, 1836. Thirty-seventh Edition. London: 1836.

It is evident, that, at the opening of the next session, ministers will be called upon to declare their opinion, openly and unreservedly, *for*, or *against*, the preservation of the British constitution. The country has a full right to be informed, if those, who are entrusted with the management of its affairs, intend to conduct them in the spirit and on the principle, with which they were undertaken; or, if that under-

standing has a chance of being abandoned to serve a temporary expediency. The "pressure from without" has now assumed a serious complexion: its tone is more decided than it has been of late years: its objects are specified, and its violence is directly pointed against our institutions. We shall not stop to inquire, how long the monarchy in its present form, and the established religion, would survive the dissolution of the hereditary peerage. Such speculations are more fit for less stirring times. We hasten to the pith and marrow of our subject, and shall examine, what should be the conduct of the government on this important, nay, awful occasion. Nor shall we inquire, what portion of the peerage would be left by its invaders, if they should unfortunately have their own way. These "motes in the sun-beam" are as little attended to by them, as they are undeserving of our notice. The enemy is at the gates. They have sounded a defiance. It is time to arm, and not to parley.

If the advice of Mr. H. Bulwer were followed, small would soon be the remnant of our constitution. In page 82 of his pamphlet, he recommends that the Ballot should be left an "open question," as Catholic Emancipation was considered by the Tories. In page 104, when discussing the question of "what is to be done with the Lords?" he tells us that "we must wait;" and he gives a pointed illustration of his meaning by observing, that "a good pilot waits till the tide is high, before he attempts the harbour." It seems, therefore, to be his intention, that the House of Lords should be *attempted*. It is therefore logical in him to recommend that we should wait until the tide of popular opinion shall have risen to that height, when it can no longer be resisted. *We*, on the contrary, have no such desire. We are anxious that the enemies of the constitutional establishments should be effectually withstood. To wait now, would be to allow them time to rally their force, and give their opinions dissemination, and root in the hearts of the people. If the ministers are sincerely attached to the institutions, and seriously wish to uphold them, it is *now* that they must make their stand against any encroachments upon them. If they look upon them as the bulwark and defence of English, and, by that means, also of European liberty, they must at once array themselves against the invaders of them. There must be no disunion in the administration. The interests now

at issue are of the most important magnitude. The time admits not of delay.

Mr. Bulwer informs us, that we "cannot have a stronger engine at work for the alteration of the peerage, than the unchecked exercise of the will of the peers." We agree entirely with this opinion. Should they persevere for three or four years (perhaps even two might suffice) in the state of infatuation, which has been so eloquently panegyricised and extolled in the speech of Lord Lyndhurst, now lying before us, we are confident that it would be vain to discuss Peerage Reform. Let but the noble and learned lord and his friends continue "to perform the duties of the government for them," as they have so successfully done in the last session, and we venture to assure their lordships, that their days of performing the duties of a government are numbered. Mr. Bulwer next says, the House of Lords has stood, unchanged, many centuries. Cannot you devote to its alteration a few years? Undoubtedly the delay is short, if an alteration were desirable; but having no ambition to gratify on that score, we shall prefer to point out how a consummation, so much to be execrated, can be averted. But we have previously a few remarks to premise upon general principles.

We consider organic change, without manifest necessity, an unmitigated evil. It is no consolation to our minds, if we escape fire by running into something worse. A friend of ours once ordered his leg to be cut off, because he found its cure tedious; but he bitterly repented, when he perceived how ill the substitute was able to discharge the duty of its predecessor. The state, once crippled, can seldom regain its former power and elasticity. Its respectability abroad depends upon its consolidation at home. The symmetry of its proportions, and the blended harmony of its component parts, are the effect of time, and of time alone. Man is so complicated a machine, that his reason and passion, prejudice and understanding, must be ground together by a very slow process, before he settles into a cordial assent to any government, which is to dispose of his life and property, and regulate all the relations of his social intercourse. This, we think, requires no proof: but it justifies us in resting with alarm upon the threshold of political change, if we are asked to adopt it upon choice. This



proposition has been argued in Mr. Bulwer's letter, with a levity ill adapted to the greatness of the subject. He asserts such truisms as the following :—"The great corner-stones of society" are more easily removed than they are easily replaced ;" which he of course admits. "We readily find new ideas, but" it is long before we find new customs, and without habit "there is no stability;" and so on. Such observations, in themselves just and self-evident, would induce the reader to expect some tenderness in urging innovation ; but we find it otherwise. It is apparent, from the remarks in page 112, and those which immediately follow it, that he contemplates the necessity of an alteration at no distant period. After reciting the change which has taken place in the proportion of the agricultural and manufacturing, the rural and urban, classes, he tells us that "the Lords fill no longer the same space in the" community which they did formerly ;" and he infers that "they can no longer exercise the same power." But their power, as a governing body, is not in the ratio of the space which they occupy. It is not necessary that they should displace a body in the community equal to their own weight. Their power will be as their knowledge, and this must be in proportion to their education, not to their acquaintance with books, but their learning of men and things—their reading and study in the perpetually-shifting classics of human nature.

If the Lords will but read Mr. Bulwer's letter, they will there be reminded that "one day telleth of another, and" "one day certieth of another;" and they will also learn its illustration. They will, moreover, see it observed with application to themselves, that "those pigs fear nothing." But we are really tired of our author. He bids us "wait," and provides us with a list of very liberal gentlemen, who have received appointments from the present government, which he calls a Whig-Radical list. He advises that certain questions should, after the manner of the Tories during their palmy days of corruption, remain "open questions;" and he winds up the whole by saying, "in short, *we are to GIVE NO CHANCE TO* "THE TORIES." But we undertake to prove, that if the Whigs follow the advice of the hon. member for Marylebone in any one particular, *they will ENSURE THE SUCCESS OF THE TORIES.* The Reform Bill must stand or fall upon the

honesty of its principle, and by the incorrupt or corrupt manner in which it is worked out. If its principle is unfair, and calculated (as the Conservatives affirm, and our author seems to suspect) to give an unfair preponderance to any one branch of the legislature, not all Mr. B.'s expediences will preserve it. It must destroy the constitution, and itself perish in the same grave. But if, as we pretend, and as all who voted for it ought firmly to believe, the Reform Act has redressed a disordered balance, and only restored power to those, from whom an oligarchy had insidiously and corruptly removed it, the fairness of the measure, assisted by an honest administration of it, shall be the best tenure of power to those engaged in that work, and shall more effectually exclude their adversaries than fifty Whig-Radical lists of placemen, and the arts of corruption borrowed from the suggestions of Lord Castlereagh.

Let us now briefly turn to the speech of Lord Lyndhurst, coupled as it is with the substance of the speech of the Duke of Wellington, who, on this occasion appear

ET CANTARE PARES ET RESPONDERE PARATI.

We shall not stay to express the grounds of our surprise at this readiness of the noble duke to second the learned lord, but shall merely remark, that the conduct of his grace denotes a very deliberate purpose. His reasons are no doubt well-intended. As a soldier, and a man of honour, who must feel grateful to his country for the distinction it has conferred upon him, he stands acquitted in our opinion from one sordid thought. But we conscientiously believe him to have taken an erroneous view of his political duty, when he "rose to justify" his noble and learned friend for proposing that motion, and to throw down the gauntlet of defiance against His Majesty's Ministers. Is not the noble duke of opinion that the Reform Bill has created the necessity of amelioration in almost every department of the civil, and perhaps in some portion of the military, government of this country? He took office, upon the death of Lord Spencer, with that admission. The manifesto of his colleagues exhibited it in every sentence. Does he now hope to resist Reform? Nobody would accuse his grace of such folly. But His Majesty's Ministers are, eminently,

Reformers. They hold their places upon that ground alone. By it "they live and have their being." They are distinct from Radical Reformers, and not even the ingenuity and astuteness of the noble and learned lord have been able to fasten upon them one charge of being under the influence of the Radical party. The Tories throw up much dirt, no doubt, in the charitable hope, that some of it may rest. But, as yet, the greater part has recoiled upon themselves. Mr. O'Connell's support cannot be proved to have been obtained by the least sacrifice of public principle. Should the Whigs, after the opening of the next session of Parliament, decline to pledge themselves to resist, *to the death*, all attempts to alter the constitution of the House of Lords, the noble duke's implacable opposition would be entirely justified. He would owe it to his own principles—he would, *in our opinion*, owe it also to the principle of liberty. We give our opinion with candour, and we care not who suspects it. If the battle of liberty cannot be fought with the weapons of truth, we shall abandon her cause to more corrupt or less fastidious defenders. The maintenance of the British constitution we believe to be essential to the liberty of England and of Europe, and no apprehension of consequences, existing, we think, only in the imagination of alarmists, shall prevent us from the frank and unequivocal expression of that conviction, to whose ever temporary benefit such an admission may be supposed conducive.

But we may be required to explain what the British constitution is, of which we profess ourselves to be so enamoured. Is it such a state of things as enables the Peers to mutilate or swamp every liberal measure, which proceeds from the representatives of the people?—Certainly not. Is it an imaginary balance of three powers, by which prejudice can maintain the ascendancy over reason, and sensuality and luxury hold in subjection industry and knowledge?—We apprehend not. Is it a scheme of government, by which intolerance may be honoured and rewarded, insult hurled with impunity upon millions incapable of avenging themselves, and ignorance or caprice sit securely on the undisturbed throne of power?—We dissent entirely from such a monstrous proposition. The British constitution is established for the promotion of virtue and the encouragement of liberty—to uphold freedom within our sea-girt citadel, when it

is elsewhere trampled upon by the feet of tyrants. Liberty is the purpose of the constitution, of which it is only the means to that end. But such a means is not rashly to be rejected, because the impatience of the ignorant or of the interested cannot wait. The independent and free exercise of the functions of every branch of the legislature is indispensable to its existence. Not a limb must be maimed or severed, which can be preserved from corruption. Should the disease of any essential part be incurable, Englishmen have shown themselves not to be unsparring of the remedy. But let not legislators confound two distinct cases. Let not the surgeon be called in when the aid only of the physician is required. The people have no occasion to be goaded into dissatisfaction with their establishments.

Such, however, appears to us to be the probable consequence of this alliance of the two noble lords, to whose speeches we have referred. Undoubtedly the game of the Reformers is thus made more difficult, and their work is impeded. But is the prospect of the country brightened by such proceeding? Let us suppose that a dissolution of Parliament is forced next spring upon the government. Do the Conservatives really suppose that they will be the gainers, by it, of a majority, able to keep the country quiet under a renewal of Tory dominion? Preposterous! Should they succeed in obtaining a majority at all, public hatred will be directed *en masse* against the Lords. Every hour will strengthen the hands of the Radicals. Every subsequent dissolution will be on the question of a Reform of the Lords, or, in other words, a dissolution of the monarchy. The idea will so familiarize itself with the mass, that British freedom is inconsistent with the antiquated and aristocratic form of our constitution, that, on the first favourable opportunity, it will be swept away, when the feelings of the people shall have been prepared to receive another with approbation. Who shall presume to say, in these times, when such an occasion may, or may not, occur? Is Spain tranquil, or Portugal at rest? Is France quite at her ease, or is Russian insolence so quelled by British manly bearing, that she will not excite new troubles by the arrogance of her conquests, or the intrusive spirit of her tyranny? We live in the midst of convulsions. The work of the people is far from being complete. By conciliation, our own may be retained in the path of

political duty, and in the enjoyment of social repose ; but by goading them with insult, or irritating them by vexatious opposition, they may easily be instructed in the knowledge of their own power, and be thus taught to lead the way in political revolutions.

The noble duke's self-congratulation upon the "moderation" of his own observations may deceive him. By allowing his speech to be annexed to the vituperative and contumacious tirade of the learned lord, he has placed himself, as it were, in the same vessel with him. He will be considered to have embarked in the same career. His grace has voluntarily taken upon himself to be sponsor to the learned lord's discourse, and he must bear the consequences. The pamphlet is christened *Lyndhurst-Wellington*. The speeches are sold together, at 20s. per hundred, for distribution, or 2s. 6d. per dozen ; and his grace may rest assured, that those who read them will, as they are justified in doing, hold them to be of joint and equal authority. We shall examine the contents of the learned lord's speech with that freedom to which all public documents are open, and we shall not scruple to avow any impressions that we think fairly derivable from it. By the manner of its circulation, it has acquired the character of a party-manifesto, rather than retained its original nature of being the eloquent invective of one man ; and it thus leads us to the information of what the country may expect from the liberality of the Conservative peers, should they ever be supported by a majority of the *LOWER HOUSE*.

The marked characteristics of the speech of the noble and learned lord are uncompromising hostility and haughty disdain towards Lord Melbourne's administration. "Proud men ! Eminent statesmen ! Distinguished and high-minded rulers !" he addresses to them with the most withering contempt. Towards the premier himself, he confines himself indeed within parliamentary courtesy (a rule which we should be glad to see more duly observed in the House of Commons) ; but the repeated reproach of a careless confidence, and the pointed imputation of being led by the Radical party, indicate with sufficient perspicuity the opinion, which he desired that his hearers and readers should entertain of the independence and statesmanlike qualifications of Lord Melbourne. It gave us

pleasure to observe the learned lord's allusion to the conference in Downing Street, because the admirers of an open, straight-forward conduct have already taken umbrage at these meetings, so frequent of late years. They betray, on the part of the government, a hesitation respecting the measures which they have to propose, ill calculated to inspire confidence, and particularly apt to give a handle of malicious insinuation to an enemy. Such meetings have, at all times, been a resource for the minister upon extraordinary occasions; but they were used as exceptions, and had their moral effect as such. The floor of the House of Commons is the proper *arena* on which the minister of the crown should converse with the representatives of the people, receive their suggestions, and listen and reply to their arguments. Intrigue and back-stair influence ought to be less requisite now, than in the ascendancy of a Castlereagh, a Liverpool, or a Pitt. The true interest of the country may be pursued without fear or favour. If the measure is honest and fitting, let those who would resist it, do so at their peril. The Radical leaders depend, more than any other men, upon public opinion for their continuance in parliament, and are far less likely to be factious. If the minister will be moderately diligent in procuring information, and strictly honest in the application of it afterwards, conferences in Downing Street will soon be more troublesome than advantageous to him. Petty interests and selfish views may be brought forward and effectually passed in such conclaves, which would be unattended to, where their motives would be less scrupulously sifted.

But to return from this digression to the noble and learned lord. How sedulously does he not seize any opportunity of aspersion against the leaders of the opposite party. Even the known frankness of Lord Holland could not escape his misrepresentation. But we prefer passing over such littlenesses, to grapple with the main subjects of difference between the Conservatives and Reformers.

Foremost on this list is the Irish Corporation Bill. The Ministers and the Commons proposed to re-model the Irish Corporations in a manner similar, on the whole, to the plan adopted with regard to English municipalities. But the Peers, with the fear of Mr. O'Connell before their eyes, and the whip

of Lord Lyndhurst upon their shoulders, acknowledged the scandalous and long-standing corruption of the boroughs, but obstinately refused to substitute others in their stead. We quote the observation of the noble and learned lord on the subject. "There was to be a transfer of power from the one party to the other; and when we know in what manner the power so transferred would have been used, that it would have greatly added to the strength and confidence of the agitators of Ireland, we should, I think, have disgracefully abandoned our duty, if we had not vigorously opposed the measure of the noble viscount. In doing so, however, we at the same time stated our willingness to put an end to the grievance complained of, by dissolving the existing corporations, and proposed a measure for that purpose, *with the assent of the corporations themselves.*" Doubtless the corporations preferred the lesser of two evils. Annihilation may be accepted as a boon, that punishment and humiliation may be evaded. But let us examine the ground, on which the peers rejected the bill sent up to them from the House of Commons. It was as follows:—That power would be transferred from the Protestant to the Catholic party in Ireland, and the influence of the agitators thereby increased. What has been the consequence of the rejection of the bill? Has the power of agitation been diminished? Has it not grown with the obstinacy of the peers, and when will it cease to thrive under the shadow of their oppression? Weeds and nettles will always spring up where wholesome plants are excluded. It is the law of nature, that evil should luxuriate where good shrinks from the contest. The majority of the peers may be led by sinister influence to imagine, that a special law for restoring peace to Ireland may be framed more suited to their lordships' taste and prejudices, than the distribution of equal justice. But if they fairly put the question at issue, if the exclusively Protestant corporations of Ireland should outlive their own, we shall say, with all deference for their lordships, that their own will, and ought to, go first.

The same specious reasoning pervades the greater part of the noble and learned lord's remarks upon the different bills, which he undertakes to dissect. In spite of his change of opinion upon the Prisoners' Counsel Bill, he still relies upon

his judgment, when mercy is to be withheld, and by depriving prisoners' counsel of the right of reply, he has robbed justice of its divine attribute. In the County Elections Bill, the limitation of polling to one day was refused; we presume, in order to give more time to the peers to force up, by their agents, unwilling and reluctant voters. We shall omit any special notice of the mutilation of the Registration of Births, Deaths, and Marriages Bill—of the annual resistance to the Jewish Disabilities Bill, of the Stafford Disfranchisement Bill, and of those alterations of the Municipal Act Amendment Bill, which caused its rejection by the House of Commons. Nor have we space for any remarks upon their conduct in reference to certain private bills. There is one tone of colouring throughout—the same design is visible in all they do—hostility to popular rights, resistance to the spirit of the age, defiance to the chosen ministers of the people. Hence this necessity for “consolation, that whatever be the disposition of the noble viscount, he has not sufficient strength to pull down the pillars of the building, and involve the whole in his ruin.” Such are the words of the learned baron, but are such really the sentiments of himself and those on “his side of the House?” Do they, in truth, suspect any such disposition in the premier, as that which is thus imputed to him? We say frankly and without reserve, that we believe the imputation to be a *wilful public calumny*. It is an invention, by which they seek to lift themselves into the places from which they would exclude the noble viscount and his colleagues, that they may adopt their measures, and enjoy their power and emoluments. It is an attempt to prejudice, *by slander*, the leaders of the reform party, and lower in the estimation of the people, those who have been endeavouring to serve them faithfully. Such appears to be the deliberate object of the representatives of the aristocracy of England. We shall now proceed to that part of our subject, wherein we undertook to indicate the path, by which their designs might be frustrated, and the present leaders be maintained to superintend the reform of our own institutions, and to give a moral assistance to other nations engaged in the same virtuous work.

For this, the union of Reformers is the *one thing needful*. But the cement must be of durable materials, and such as will



rather harden with time, than split in the sun of prosperity, or fall to pieces before the rude blast of misfortune. It must be an *union* cemented by principle. How then, shall this be effected? We see but little difficulty in the way. Have not the Radicals always replied to their adversaries, when reproached by them of desiring organic change as an end, rather than a means, that the accusation was malicious and unfounded? We do not deny that there are certain Reformers who contemplate an abstract liberty, inconsistent with our institutions. The greater part of the Radicals are too sensible and too wise to indulge in such profitless abstractions. *They* are men, eminently, of matter of fact. Many of them look upon the remedy of abuses in itself, but as a means to an end. They are mostly men of the people, who, having sprung from that class, are unable to get rid of early associations, and are ever striving to work their way up to something higher. Such men can have no interest in organic change and revolution, except when considered as stepping stones to power and its contingencies. The province of the Radicals is not only inherently of this world, but their specific function is, for the remedy of its abuses, *or*, the destruction of its establishments. Their opinions will generally reflect, with greater accuracy, the wishes of the community, than all the speeches at Conservative or Whig dinners. When the Radicals take upon themselves to hold up organic change as a necessary alternative, they express rather the wishes of others than their own. To allay the cause, is the only sure way, in political or physical pathology, of repressing the symptoms of disorder. Let this be done, and how suddenly will the premium upon radicalism descend. We are not the enemies of Radicals any more than we are the enemies of medicine. Let an adequate corrective be applied to the root of the evil, and the occupation both of Agitator and Radical will disappear, because it will be no longer profitable. At present, the majority of the Peers might be said to carry the begging box of the tribute, and pay the wages of Radicalism in England. If they ceased to interrupt the gradual progress of improvement, within two years the money would cease to rattle in the box, and Peerage Reform would be, as a cry in the desert. But since we shall have to wait, for some little time at least, for such a consummation, we must go on with our discussion of the

best and safest way of bringing it about, as speedily as possible.

We are of opinion, then, that the great majority of the Radical party sincerely desire organic change, as a means, and not as an end. We have yet seen no reason to distrust their words. They are yet a long way from witnessing the accomplishment of that purpose, which has long been the aim of their political struggle. Is the church reformed to the satisfaction of any man of common sense and honesty? Are not pluralities nearly as rife as ever? Are the working clergy better paid than they were? As we pointed out, in our last number, a very feasible, and to our apprehension unexceptionable, plan for removing these grievances, we shall not dwell more upon this topic. Has any attempt been made to protect voters from corruption and intimidation, especially the latter, which is more open, and therefore more accessible? Can no oath be devised, by which the wealthy landlord or merchant, or opulent citizen, can be intimidated in their turn, from oppressing their poorer dependants? Much as, upon principle, we object to the administration of oaths, still our objection is diminished, as the persons, who are to take them, rise in the scale of society. There is less danger, that familiarity with them may introduce a general contempt for religion. We should be glad to see the "book" handed over at the polling booth to every landlord against whom the agent of the opposite party entertained suspicion of using undue influence over his tenants, and those whom he employs. The odium would be thus removed from him who receives, to him who does not scruple to give the bribe. Oppression should be stopped nearer to the source than it is effected, or sought to be effected, at present. Should it be objected to this proposition, that the House of Lords will not consent to such a bill, our reply is, that the peers *MUST* soon give their assent to it, if it is brought forward, with the authority of the government on behalf of the people.

It is the hesitation of the ministers, on such points as these, which has prevented that cordiality between the people and the ministers, which the Tories misname *reaction*. The people of England hate their fetters, and dislike their oppressors, as fervently as at the time of passing the Reform Bill; but their confidence is shaken in those who passed that bill, because

they appear to have halted on their way. We look upon the Ballot—if not as an organic change, as a certain prelude to one, and are opposed to it. But it is with the Ballot as with Peerage Reform. To oppose either will be fruitless, if intimidation and illiberality are not otherwise checked.

We had concluded the preceding remarks, when a contemporary periodical, deservedly possessing much weight with the liberal party, was put into our hands. We turned with curiosity to its opinions on the reform of the Lords, and were greatly disappointed by finding the question of a creation of life-peers seriously discussed. It is not the power, but *the will*, of the king, to swamp the House of Lords, that we doubt. We are far from advising such an exercise of his prerogative, though the annihilation endure but for a season. If the obdurate infatuation and haughty selfishness of the majority of that body persist in obstructing reform, Englishmen will know how to deal with them according to their prerogative of the people, in such cases. This is no vain menace. It is a contingency quite within possibility, and assumes no extraordinary duration of time or patience. But very little do the peers care for the power of the king, to abate this means of doing mischief. Who is sure that His Majesty may not be sufficiently ill-advised to take, at present, the same view of public questions as their lordships? Into which conclave is public opinion likely to find the more ready entrance? Into the purlieus of the court, or among the benches of the peers? The latter walk in the streets unattended, and are compelled to judge for themselves of what they see and hear. But the shouts of the people may be interpreted to the royal ear by heartless and interested flatterers, in the way most convenient to their purpose, and the very opposite to that in which the warning was intended.

There is very little room to doubt that a dissolution will be speedily tried. This is the constitutional proceeding. Let then the ministers make their appeal to the people with clean hands. Let there be no suspicion of intrigue. Let all be *above-board*. The English are a frank nation, perhaps too blunt and open, frequently, for the courtesies of life. But candour finds sympathy with them, while tortuous policy is sure to fail. If the ways of the administration are clearly intelli-

gible, inclining neither to the right or to the left, not courting Lords, or fawning on Radicals, we have seen, as yet, no cause for distrust, that the independent constituencies will repay such honesty with their unbounded confidence. Revolution has shown itself abroad in too appalling a form for any party, whose watch-word is change, to find favour in this country. The very idea of their rule is enough to alarm every man possessed of any thing to lose. Such principles must be unequivocally denounced, and the alliance of those who acknowledge them, can only be accepted on terms frankly explained, and clearly understood.

If we do not entirely mistake the feelings of our countrymen, it is far from being necessary, that the candidates for the populous constituencies should pledge themselves to extreme measures. They have frequently created a false appetite in the voters for a time by highly seasoned promises. But what has generally been the consequence of this indiscretion?—That liberal men, entertaining sounder principles, and less disposed to gambling in such matters, have separated from them the more respectable, better educated, and wealthier portion of the electors. By the aid of a division created in this manner, a Conservative Candidate has frequently succeeded. Should the country entertain the opinion, whenever the dissolution shall take place, that the question at issue is, if Peerage Reform and the Ballot shall be carried in the next House of Commons, we have not the slightest hesitation in affirming, that those who are opposed to those changes, will find themselves in a large majority. If, on the other hand, the question is understood to be, whether the country is, or is not satisfied, with the present Administration, honestly reforming abuses, in preference to a Conservative and *Conforming* Ministry, we are equally confident that the Peers will find the numbers of the true Reformers greatly increased after the next election.

What has the Radical party to gain by causing disunion now, or indeed at any time, among Reformers? Would the Tories do more for the conciliation of Ireland, the settlement of the Spanish question on a liberal principle, the cementing of the French alliance, so indispensable for the protection of liberal principles every where, or the restoration of Poland as a barrier against Russian encroachment and a future warning

to all tyrants, than the Whigs are willing to do, if the people will but give them the power? Would the Conservatives yield to the Radicals any of those questions, of which they appear so enamoured? If then the Ballot, triennial Parliaments, Peerage Reform are removed at an equal distance from their grasp under a Conservative and under a Whig administration, why should they not ask themselves, under which ministry the most substantial benefits may be acquired for the country? The disunion of the Liberals is the triumph of the Peers. In order to apply a constitutional force upon the understandings of their lordships, let every man be considered a friend, who will increase the majority of adherents to the present ministry. In that case, measures may be successfully tried in the House of Commons, which would gradually awaken the country to a sense of its danger.

The first stopping of the supplies, backed by a majority in the House of Commons of one hundred, would make every man from the Exchange to Caithness reflect upon the probable issue of a contest between the Peers and the People. If this be true, why will not the Radicals assist, and on PRINCIPLE assist the Constitutional Liberals? Would their constituents object to them, that they were indifferent to the cause of true liberty, if they pointed out the practical way by which they were seeking to obtain it?

Our difference from Mr. H. Bulwer, is briefly this—he would have “open questions”—we would have none. The cabinet should be decided, compact, and indivisible, on all constitutional questions. Peerage Reform is so essentially. The ballot would inevitably lead to interference with the institutions. If the Radicals bring forward in parliament their favourite questions (and why should they not)? let them be fearlessly opposed by the administration; should the Radicals, on that account, stand aloof from the Whigs, or the Whigs from the Radicals, at the elections, who is the common enemy of both? Is it not the Reformer, who, with reform on his tongue, holds Conservatism in his heart—who can insult Ireland in her religion, her blood, and her language? What reform can come with a healing quality from a party, which approves such expressions as those just cited? What confidence can ever be reposed in a reforming majority of the

House of Commons, allied with the present leaders of the anti-reforming majority in the House of Peers? Is it necessary that this administration should leave constitutional questions as "open questions," in order to gain the confidence of a party, which has partly declared that organic change is considered as a means of improvement, and not as a consummation, desirable for itself? The political opinions of persons holding subordinate offices, were always held by the Tories as the test of their fitness for employment. We should be glad to see talent and character more generally considered, connections and politics less. The Reform Bill should be the means of working out honest purposes by honest conduct. The Whigs have not yet fairly and manfully tried the experiment. Connection was far too much looked to by them, when they came into power. It blighted confidence, before it had time to mature itself.

The tendency and inclination of Mr. Bulwer's pamphlet leans to the conclusion, that constitutional changes are necessary. We hold an opinion the reverse of this. The system of education among the higher class is extremely deficient. It is disgraceful to the nation and to themselves. Knowledge is power, and respect to a legislative body can now only be secured by superior wisdom and legislative disinterestedness. Let the Peers look to this themselves. The fault is not in the institutions, but in society. King, Lords, and Commons, as at present constituted, may continue, beyond our time, to diffuse blessings at home and encourage liberty, even to the confines of Siberia. But the pride of the few cannot annul the liberality of the many. The Lords may remain a co-ordinate estate, if they advance with the spirit of the age. But should they listen with complacency to the voice of interested flattery, and suppose that they hear the echo of reaction in the hollow applause of their own cheers, they must soon be, what they then ought to be—nothing. But let this come from the people, and not from the ministers.

**LONDON :**  
**PRINTED BY T. BRETTELL, RUPERT STREET, HAYMARKET.**

# INDEX

TO THE

THIRD VOLUME OF THE BRITISH AND FOREIGN REVIEW;

OR,

EUROPEAN QUARTERLY JOURNAL.

## A.

- ADAIR, Sir Robert, Ambassador in Brussels, 16.  
 Agency, Professional, its objects in litigation, 416.  
 Alchemy, professed by the Persian dervishes, 339.  
 Andalusia proclaims the Constitution of 1812, 541.  
 Antwerp, merchants of, some of them attached to the Orange cause, 8—prospects of, 19—trade of, 22.  
 Apostolic party in Spain, 142.  
 Appeal and New Trial, comparative advantages of, 430.  
 Appellate jurisdiction, objects of, 432—check upon the judge, 434—fallacy of the Law Magazine, respecting, 442.  
 Archdeacons, their duties, 208.  
 Argenteuil, *Commune* of, curious facts relative to the sub-division of property in, 387—amount of the land included in, 388—cannot pay its taxes, 389—property transferred there by verbal agreements, 390—specimen of a deed of partition, *ib.*—the population stationary, 391—laborious and easy in their circumstances, *ib.*  
 Arguelles, his character, 137.  
 Aristocracy, none in Poland, in our sense of the word, 469—nobles of Poland what *electors* are in Constitutional States, 470.

VOL. III.—N<sup>o</sup> VI.

S S

- Army, the French, discontented and mutinous, 559—could only have been kept in order by Soult, 560.  
 Association Belge, a patriotic Club, 11.  
 Austrian dynasty in Spain, 514.

## B.

- BAGOT, Sir Charles, Ambassador in Brussels, 15.  
 Ballot, proposed to make the, an open question, 604—objected to, 616.  
 Bande Noire, speculators who destroyed the Châteaux in France, 381.  
 Barrot, Odillon, leader of the Monarchical Opposition, 182, 186—description of, by *Timon*, 188—his prospects, 189.  
 Basedow, his educational reforms in Germany, 566—attacked by the clergy, people, and governments, 570—now adopted in Prussia, 571—adopted almost throughout the Continent, 572.  
 Belgium, 1—probable future fate of, *ib.*—incompleteness of the national feeling in, 2—faults in its government, *ib.*—republican Regency of, *ib.*—opposing principles in, 3, 4—character of the men produced by the revolution, 5—causes of her present conservative and anti-republican opinions, 7—character of her Constitution, *ib.*—



- errors prevalent in Europe respecting, *ib.*—reunion with Holland impossible, 9—junction with France never popular, 10—a French and not a Belgian project, *ib.*—liberal institutions of the monarchy, 11—advantages gained by Belgium through her union with France, *ib.*—interested in allying herself with Prussia, and the smaller German States, 12—Religion of, *ib.*—what she has gained by her early struggles, 15—commercial situation and prospects of, 16—favourable commercial position, 18, 19—commercial treaties possible with North and South America, Norway, Denmark, Prussia, Russia, Austria, and the Hanse Towns *ib.*—not with England and France, 20—terms on which such a treaty with England must rest, 20, 21—products of Belgium subject to duty in France, 21—actual situation of manufactures and commerce in, 21, 22, 23—state of morals, 23.
- Bell, Messrs. & Co., defeat the projects of Russia in the Danube, 452.
- Benefices, Parochial, total net income of, 204, number value, and description of, 226 to 231.
- Bialolenka, Krukowiecki defeats the Russians at, 79.
- Bills mutilated or rejected by the Lords, 613.
- Bishops, their incomes as proposed by the Commissioners, 214—translations, *ib.*—irregularity of, in discharge of diocesan functions, 215—patronage of, 216—Nepotism of, 217—power over the clergy, 219, 220.
- Blessington, Lady, her novels, 502—religious tone of her novels, 506.
- Bourbon dynasty in Spain, 514.
- Bourgeoisie of France have become possessors of the soil, 378—invest their savings in land, 382.
- Boutinieff, M. de, his official Note, 316.
- British Association, 362—its effect, 363—organization of, 364—should not direct its proceedings exclusively to its scientific members, *ib.*—conditions of eligibility into, 365—its division into sections, 367—objections to its Council, *ib.*—does not work as well as it might, 369—discussions of, two-fold, *ib.*—defects of its arrangements, 370—bad taste of some of its members, 374.
- Brussels, heroic defence of, 2—riots in April 1834 at, and destruction of, Orange property, 9.
- Bulwer, Mr. E. L., why classed among the *Lady Novelists*, 483—femininity of his talents and temper, *ib.*—his glaring solecisms, *ib.*—his mis-statements with regard to the *British and Foreign Review*, 484—his French like that of an Iroquois, 485—his contempt for Montesquieu and others, 488—his poetics of novel writing, 489—consulted by persons about to attempt fiction, 490—criticisms on his own works, 491—his Pompei, 492—his classical attainments, 495—his Rienzi, 498—comparison between Mr. Bulwer and Lady Morgan, 499.
- Bulwer, H., his pamphlet on Peerage Reform, 604—sippant tone of, 606—tendency of, 619.
- Bury, Lady Charlotte, her novels, 506.
- C.
- CALLCOTT, Mrs., her *Essays on the History of Painting*, 150.
- Cameron, Mr., his report on Judicial establishments and procedure in Ceylon, an admirable production, 437.
- Canterac, General, killed, 535.
- Cardero, Lieutenant, daring attempt of, 534—success of, 535.
- Carlos, Don, de Borbon, head of the Apostolical faction, 142—has no right to the throne, *ib.*—why popular in Navarre, 143—represented as a chivalrous character, 517.
- Catherine II., Empress of Russia. List of her favourites, 456.
- Cathedral and Collegiate Churches, 211—amount of their income, 212—use of them, 213.
- Catholicism, Roman, almost universal in Belgium, 12.
- Chamber of Peers in Spain must be elective, 548.
- Chambers, French, division of parties in, 181, 182—speakers in the, 184, &c.
- Charlemagne, his wars with the Lombards, Saxons and Frisians, 27—his policy, 27, 28—his son and successor, Louis, 29.
- Charles II., King, infamous intrigues, 94—dishonourable relation to Louis XIV., 95—his pension, 96—interview with Temple, 99.

- Charles V., opposed by the Deputies in the Cortes of Valladolid, 530—banished the Deputies of Salamanca, 531.
- Châteaux, French, sold for their materials, 380.
- Chlopicki, Gen., named Director, 74—resigns, 75—wounded, 80.
- Chokier, de, Regent of Belgium, 5.
- Church, the Established, Government Reports upon, 201—reform of, 202—invectives against, 202, 203—complaints against, 203—insufficient remedies proposed, *ib.*—revenues of, 205—appropriation of the surplus, 206—effect and value of, 221, 222—the Church lawful, 224, 225.
- Church, Established, none formally recognised in Belgium, 13.
- Church accommodation, insufficiency of, 203 to 210—proposed means for remedying, inadequate, 211.
- Clergy, the national Clergy in Belgium, how paid, 13.
- Clergy, conduct of Pepin and Charlemagne towards, 26, 27—gradual rise of, 28, 29—condition of, in the Germanic empire, 30 to 34—investiture of, 35, 36, 37.
- Cobden, Mr., author of Russia, by a Manchester Manufacturer, 447—circulation of his pamphlet, 448—assisted by the Muscovite *chancellerie*, 449—errors respecting the comparative value of Russian and Turkish trade, 458—inconsistencies, 462, 463—false statements respecting Poland, 468, 469.
- Conferences in Downing Street objected to, 611.
- Constantine of Russia, his tyranny, 61, 62—his spies, 62 *note*,—his escape, 64—receives the Polish deputation, 71—retreats, 72—error of not detaining him prisoner of war, *ib.*
- Constitution of 1812 proclaimed in Andalusia, 541—contains the legal corrective of its own deficiencies, 547.
- Consuls, our in the Levant, should have diplomatic training, 321—few of them equal to the duties of their situation, *ib.*—character of many of them, 323—our Eastern Consuls generally aliens, *ib.*—a Consul General required on the coast of Caramania, 329.
- Convents, suppression of in Spain, 134—a bad measure, 135.
- Cortes, the National Assembly of Spain, existed under that name in the ninth century, 114—attempts of the Kings to abolish, 115—Cortes of 1812, their error, 116—Cortes of 1820, their error, 117—power of in Spain, 524—exercised the right of the royal investiture up to 1475, 525—had power to modify or annul the last will of their Kings as to the choice of Regents, 526—composition of, 527—does not include the Nobles and Clergy, 528—no influence of the higher classes recognised by, 531.
- Costs, to be made a means of punishing dishonest litigants, 413—why suitors pay costs, 435—ought not to be cast upon honest suitors, 436.
- Courts of Local Jurisdiction, 400—inefficiency of most of the measures which have been proposed and rejected on this subject, 401—would demonstrate the possibility of cheap, effective, and expeditious justice, 403—such courts already existing, 408—Sir R. Peel's statement respecting, 409—plan for the establishment of, 410—plan of procedure in, *ib.*—advantages to be gained by, in pleading, 415—extent of their jurisdiction, 438—supposed degrading effects upon the legal profession, 444—probable expense of the system recommended, 445—would be cheerfully borne by the public, 446.
- Credit, effect on of cheap law, 406—Serjeant Talfourd's views respecting, 407—Lord Ellenborough's, *ib.*
- Crosville, pauperism and profligacy of 392.
- Crusade of Frederick II., 26, 52, 55—not popular in Europe, 53.
- Cyprus, diplomatic and commercial value of to England, 325, 327—military and naval advantages of, 330, 331—the possession of immensely important to England, 331.
- Czartoryski, Prince, his Mission to Constantine, 71—President of the Provisional Government, 75—Speech at the Literary Association of the Friends of Poland, 89.

## D.

- DANUBE, attempt of Russia to close the mouths of, 446, 451—defeated by Messrs. Bell and Anderson, 452.
- Delay, a great object with *mala fide* suitors, 422.
- Dembinski, General, appointed to command the Polish army, 86.

- Dervishes in Persia, their character, 338, 339.
- Diderot, his *Lettre sur les aveugles* might have been consulted with advantage by the "Author of Pelham," 496.
- Diebitch, Marshal, commander-in-chief against the Poles, 75—his force, *ib.*—defeated at Grochow, 81, 82—his brutality, 83—his death, 86.
- Diplomacy, inefficiency of our Eastern, 319.
- Doctrinaires, their party, 196.
- Donadio, Conde, his death, 540—his apostasy, 541.
- Droguemans in the East all sold to Russia, 322.
- Dumouriez, General, his letter to the Convention, respecting union of Belgium with France, 10.
- Dupin, his character, 191—his presidency of the chamber, 192—description of him by Timon, *ib.*
- Dutch would not consent to a re-union with Belgium, 9.

## E.

- EDINBURGH Review, its plan of Peerage Reform, 616.
- Education, change of opinion on this subject in England, 564—former state of in Germany, 565—plans of Basedow, 567—in Prussia, 571—in Germany, Italy, Switzerland, 572—no national education in England, 576—English popular education miserably bad, 579—in as low a state as it is possible to be, 590—managed through the Treasury, 593—should be placed in the hands of the State, 599—proposal for a Board of Education, 600—Parliamentary committees on, 601.
- Eeljauts* of Persia, a collection of Nomade tribes, 352—antiquity and origin of the Koords, 353—fond of military display, 354—noted thieves, 355—*Eeljauts* of Arab origin, 356—*Eeljauts* of Turkish origin, 357—rude and independent, 358—migrations of the, 360.
- Election, system of, in Spain, 139.
- Empire, Germanic, state of the nobility in the, 31, 32, 33—tenure of land, 31—*Reichstag*, or Diet, 31, 32, 33, 34—ban of the empire, 31.

- England, her expectations from the Belgian revolution, 4—alliance with, felt to be essential in Belgium, 15—diplomatic agents of in Belgium, *ib.*—obstacles to a sound system of commercial intercourse between France and Belgium, 17—conduct towards Louis XIV., 89.
- Engraving in England, 160.
- Estates, great estates in France and England of feudal origin, 376—partially restored under the empire and the restoration, 379—sold in England without difficulty, 380—cut up in France by the system of farming, 382—sold in very small lots, 385.
- Excommunication by the Pope, 32—its nature and effects, 39—why never effective in Germany, 40.

## F.

- FARMING bad in France, 393—system in some parts of France, 395—proper size of a farm for France, 396.
- Flanders, burghers of, defeated the chivalry of France, 10.
- France, probable juncture of Belgium with, 1—her expectations during the Belgian revolution, 4—the Belgians do not desire re-annexation to, 10—commercial relations between Belgium and France, 17—extreme division of property in, 376—prevalence of culture, on a small scale, in, 377—Arthur Young's opinion on this subject erroneous, 378—effects of the Revolution of 1789 on property in, *ib.*
- French not popular in Belgium, 10—their influence dreaded, *ib.*—officers in the Belgian service, *ib.*
- French, political situation of the people, 169.
- Freydanck, a German poet of the thirteenth century, 28—his character and history, 24, 25—whether or not a *rom de guerre*, 25—his opinions on various subjects, 57, &c.
- Fuseli, as critic and painter, 152.

## G.

- GALIANO, his character, 137.
- German confederation, effects upon, of the Belgian revolution, 4.

Gervinus, Professor, his view respecting Freydanck, 26, *note*.  
 Ghent, cotton manufacturers of, attached to the Orange cause, 9.  
 Glebe houses, want of, 207 — plan for restoring and maintaining, 207.  
 Gore, Mrs., her novels, 508.  
 Grimm, James, his opinion respecting Freydanck, 25.  
 Grimm, William, Editor of Freydanck, his opinion respecting the author, 25 — opposed to Gervinus, 26.  
 Grochow, battle of, 78, 79, 80, 81, 82.  
 Guelphs and Ghibellines, 84.  
 Guizot, leader of the Doctrinaires, 196 — minister, 197 — his tactics, *ib.* — opinions, 198 — his eclecticism, *ib.* — despises the Chambers, 556 — his difficult position, 557 — has no sympathy with England since the reform, 561.  
 Guyot de Provins, 25.

## H.

HALL, Captain, views of litigation in America, 404.  
 Henrietta, Duchess of Orleans, poisoned by her husband, 95, 96.  
 Henry Guelph, of Brunswick, surnamed the Lion: his disobedience to Frederick Barbarossa, 33 — his ruin, *ib.*  
 Hohenstaufen, Frederic of, 41, 42 — Frederic II., 26, 43, &c. — his character, 57 — Henry, of, 41, 43 — Philip, of, 44, 46, 47 — Beatrix, of, 47 — Conradin, of, 57 — Geschichte der, by Frederic von Raumer, 42.  
 Holland, colonial trade of, regretted by some Belgians, 9 — Louis XIV., war with, 92, &c.  
 Hume, David, his criticism on English authors, 97.

## I.

INCONSISTENT answers, objections to defendants' pleading, 401.  
 Investiture, under the German empire, 35.  
 Investments, insufficient in France, 394.

Ireland, 262 — what she is, 263 — why she has not been reclaimed, *ib.* — her case at last set upon its right footing, 265 — what she has a right to know, *ib.* — how she has been dealt with, 266 — Ireland always in the wrong, 267 — danger were she not united with England, 268 — religious question, 269 — had the Union been deferred till the present period, what conditions Ireland might have made, 271 — reform in, 272 — changes which must follow from it, 273 — what the union was, 274 — what it ought to be, 275 — reasoning respecting, *ib.* — quarrels fostered by the English, 277 — early treatment of, by the English, *ib.* — quarrels of the English, in, 277, 278 — the penal code, 279 — its fruits, 280, 281 — Protestants themselves sufferers, 282, 283 — their condition, 285, 286 — emancipation reluctantly granted, 286 — led to reform, 287 — the Irish question throughout the contest of the oligarchy against the people, 290 — the Irish nation at the present time not divided, 292 — Repeal of the Union, an evil for, 293 — corporation question, 294, 295 — Church of, 296 — what Ireland wants, 297.

Irish Corporation Bill, treatment of by the Lords, 611.

Isabella II., reigns by virtue of the ancient national rights and fundamental laws of Spain, 526.

Isturiz, his duel with Mendizabal, 136 — his character, 136, 137 — escapes from Toreno, by flight, 536 — succeeds Toreno in the ministry, 537 — his apostacy, 538 — joins the old majority, 539 — his fall, 545 — despised, and in exile, 546.

## J.

JUDICIAL proceedings, expense of, operates as a denial of justice, 405 — confines justice to the rich, 406.

## K.

KARAMZIN, History of Russia, 232, 234.  
 Kosciusko, 62.

## L.

- LA CREUSE, department of, rise in the value of land there, to what attributable, 381.
- Lady Novelists, why Mr. E. L. Bulwer is classed among, 482.
- Lafayette, outlived his popularity, 177—without influence in the Chambers, 182.
- Lafitte, his character, 184—laid the basis of the French financial system, 185—defended Villele's reduction of the 5 per cents., *ib.*
- La Granja, movement of, 542 to 544.
- Land, value of in France, 382—amount of taxable land in France, 384—so sub-divided as to become incapable of transfer, 389.
- Law, administration of in Persia, 337.
- Law, central administration of, an evil, 401—defective Constitution of the central Courts, 402—reform in, hopeless, 403—Government bound to provide for the equal administration of, 413—diversity of, an argument against Local Courts, 443—its fallacy, 444.
- Lazienki, Park of, scene of the first movements at Warsaw, 63—topography of, 65.
- Legitimists, their party, 198—their speakers, 199.
- Legnano, Rout of, 42.
- Lelewel, deputed to Constantine, 71—elected a member of the Provisional Government, 75.
- Leon, Emperor of Constantinople, his treaty with Oleg the Russian, 237.
- Leopold, King of Belgium, 3—effect of his personal character on the affairs of Belgium, *ib.*—his conduct as King, 14.
- Lessing, his Laocoon, the greatest work of æsthetical criticism, 152—translated by Roas, *ib.*
- Levant Trade, petition of the Merchants engaged in, 305 to 308—increasing importance of, 308.
- Lewandowski, General, treatment of by the Poles, 83.
- Litigants, honest, would be benefitted by a good system of local judicature, 402.
- Litigation not an evil, 404—what litigation is, 405.
- Louis XI. King of France, tries to annex Flanders to France by marrying his son to Margaret of Burgundy, 10.
- Louis XIV. King of France, wars in Flanders, *ib.*

- Louis Philippe I., King of the French, 173—called *Le Napoléon de la Paix*, *ib.*—vicissitudes of his fortune, 174—his politics, 175—his influence on his Government, 176—his talents, 177—prepared to make a compromise respecting the intervention in Spain, 553—hates the *Doctrinaires*, 554—directs his own Foreign policy, 562—hates democracy wherever it may be, *ib.*—afraid of intervention in Spain, *ib.*
- Louvain, defeat of, 2—a useful lesson to the Belgians, 14—Catholic University of, *ib.*
- Lubecki, Prince, deputed to Constantine, 71—goes to St. Petersburg, 72, 73.
- Lyndhurst, Lord, his declaration of war against Ireland, 265—dangerous course pursued by, 605—his speech, 607—his attack on Ministers, 611.

## M.

- MANUFACTURES, colossal character of property founded on, in England, 376.
- Maria Christina of Spain, her situation at the death of Fernando VII., 518.
- Martinez de la Rosa, minister, 119—proclaims the *statuto real*, *ib.*—his life and character, 124, 125.
- Mauguin, a leader of the Opposition, 186—a partisan of centralisation, 187—description of, by *Timon*, *ib.*
- Meerzas, or scribes in Persia, 340—their universal prevalence, 341—attached to Colleges or *Medressas*, 342.
- Mendizabal, minister, 127—his life and character, 128—assists Mina in 1830, *ib.*—projects the plan of the British legion, *ib.*—supplants Toreno, 129—his want of oratorical powers, *ib.*—difficulties in forming a Ministry, 130—vote of confidence, 131—his fickleness, *ib.*—dissolves the Chambers, 132—abolishes convents, *ib.*—conduct towards Isturiz, 136—his fall, and its causes, 148—won by the *Camarilla*, 537.
- Mennais, De la, his *Paroles d'un croyant*, 14.
- Ministers must now make a stand against encroachments on the Constitution, 604—Reformers, but not Radical Reformers, 608—attack of Lord Lyndhurst on, 610.

Ministry, the present French, contains three distinct shades of opinion, 554—object of the new combination to increase the power of the French Peerage, 555—will be weak in the Chambers, 557—contains the elements of dissolution, 558—deficient in administrative ability, 559—tendency of, 560—may disturb our foreign relations, 561.

Mirabeau, views respecting Belgium, 10.

Molé, M., the French Minister, inclines to an alliance with Russia, 561.

Monks of Madrid, massacre of, 533.

Morgan, Lady, compared with the "Author of Pelham," 499—character of her works, 500.

Mortgages in France, 398.

Munster, Bernard von Gale, Prince Bishop of, his character and exploits, 90, 91.

N.

NADER Shah, his way of dealing with the Established Church, 336.

Napoleon, his view of England's best policy, 4.

Navas, La, Count of, his character, 137.

Nemours, Duc de, his election to the throne of Belgium, 10.

Netherlands, kingdom of: its imperfect construction in 1814, 1.

New Trial, widely different from Appeal, 433—imperfections of, 434.

Nicolas, Emperor of Russia, 73—the Herod of the North, 83.

Non-residence of Incumbents, 208—causes of, 203, 204—expedients for remedying, 204, 205.

Normal Schools, 596.

Northern Courts, the only gainers by the diplomatic gain consequent upon the Belgian revolution, 4.

Norton, Mrs., her novels, 507.

Novels and Romances, their prevalence and little value at present, 477—why read, 478—value of our earlier novels, 479—taste for novel reading debased and vitiated, 480—this appetite peculiar to England, 481—character of the *fashionable novels*, *ib.*—method of manufacturing, *ib.*

Novgorod, Dukedom of, 235—commerce of, 257—possessions of, 258.

O.

OATH, examination on, 429.

O'Connell, Mr., his support of the Whig Ministers not purchased by any sacrifice of principle, 608.

Oils of the Levant, might be substituted for tallow, 315—duty on, 317—deserve the formation of a company for their introduction, 315.

Open Questions, Ballot proposed to be made an open question, 604—objected to, 618.

Opposition, the, in Belgium, a small and insignificant party, 7.

Orange faction in Belgium, of what elements made up, 8—its extent and power exaggerated, 8, 9, 10.

Ostrowski, Count Ladislav, deputed to Constantine, 71—elected Speaker of the Diet, 74.

Otto, the Guelph, Duke of Brunswick, 44—elected Emperor, *ib.*—defeated and deposed, 45—restored to the Empire, *ib.*—displeases the German Princes and Prelates, 49—defeated at Bouvines, 51—deposed, 52.

P.

PAC, General, takes command of the Polish army, 69.

Pages, Garnier, his character, 185.

Painting in Greece, 154, 155, 156, 157.

Palafox, arrested on a charge of conspiracy, 534.

Palmerston, Lord, his conduct to the Poles, 78.

Papacy, struggle between the Papacy and the Empire, how to be considered, 36.

*Parties* in England and France, incapable of comparison, 167—long organized in England, *ib.*—state of in France, 168—state of after the Revolution of July, 179.

Paskiewicz, Marshal, succeeds Diebitch, 86—wounded at Warsaw, 88.

Patronage, abuse of in the Church, 208—must be compensated, 206—proposal for regulating, 218, 219.

Peerage Reform, Mr. H. Bulwer's pamphlet on, 604—will be hastened by the conduct of the Peers, 605—sure to follow should the Conservatives obtain a majority on a dissolution, 609—can

- only be avoided by a change of system, 616—plan of the *Edinburgh Review* objectionable, *ib.*
- Peerage Hereditary, abolished by Perier, 179.
- Peers, French, low character of, 556—present Ministry anxious to increase the influence of, 561.
- Pelham, cheap edition of, 482—solecisms in, 483—a clever work, 484—French of, 485—stolen witticisms of, spoilt in the telling, 487—a work of talent, 488—probable immortality of, 489
- People of Russia and policy of England, an excellent pamphlet, 464.
- Pepin: his conduct towards the Clergy, 26—followed up by his son, 27.
- Perier, Casimir, minister in France, 168 to 178—abolishes the hereditary Peerage, 179—obliged to go to war with Holland, *ib.*—his death, *ib.*—his administration, 180.
- Persia, influence of the learned professions in, 336—Ecclesiastical grades, 336—meanness and trickery of the Clergy, 337—Mendicant orders, 338—struggles for the crown of, 344—ruined by mis-government, 345—has no mines of precious metals, 346—depopulated in the Russian war, *ib.*—Villages in, 350—travelling in, 351—neglecting Persia will be vitally injuring British interests, 361.
- Perril, M., his character, 558.
- Peter III., Emperor of Russia, his murder, 457.
- Pictures, classification of, 157, 158—of Corregio, in the National Gallery, 159, 160—Spanish, 164, 165.
- Pigments, preparation of by various schools, 153, 154, *note.*
- Pillans, Professor, his evidence upon the "National Society," 582, 583.
- Plea of general issue, 420.
- Pleading, special, what it really is, 419—relieves litigation from unnecessary trials, 421—formerly carried on  *viva voce*, 426.
- Pleadings, written, objections to, 424.
- Pluralities, 203, 205, 209—juggling measures of the commission respecting, 210.
- Poland, partition of, defended in the House of Commons, 468—ancient constitution of, not free from errors, 470—no instance in the History of Poland of a king put to death by his subjects, 471—political and social reforms in, 473—present condition of, 474.
- Poles, their ruling passion; the emancipation of Poland, 62—their expectations from Austria and Russia, 72, 73—treatment of in France and England, 73—character of their revolution, 88.
- Polish ensigns, commence the revolution, 63.
- Polovtze, a wandering tribe, appear in Russia, 253—their mode of life, 254.
- Poniatowski, 62.
- Potter, De, 2—author of the Belgian revolution. 5—his character, *ib.*—President of the Association Belge, 11.
- Press, no government prosecution of, since the revolution in Belgium, 12, *note*—freedom of, in Belgium, 12.
- Priests in Belgium, their influence not great, 12, 13—political moderation, 13—supported the election of a protestant king, *ib.*—did not oppose the establishment of yearly salaries for protestant clergymen, and Jewish rabbins, *ib.*
- Proceres, Estamento of, a servile imitation of the English House of Lords, 531—corrupt in its very essence, 532—an hereditary peerage absurd in Spain, 532.
- Procuradores, Estamento of, do not fairly represent the Commons of Spain, 532.
- Progress of Russia in the East, the most able work which has appeared on this subject, 447, 460.
- Property, extreme condensation of, in England, 376—favoured by the various changes in government, &c. 377—its subdivision in France not prevented by enactments, 379—French peasants have a passion for landed property, 380—extent to which the subdivision has been carried in France, 383—expenses of transferring in France, 389—minute division inevitable in France, 392.
- Protestants. Only one Protestant in the two Belgian chambers, 12—Protestant clergymen at Brussels, Antwerp, Ostend, and Spa, salaried by the Belgian government, 13.
- Prussia, interest of Belgium to ally herself with, 12.

Q.

QUADRUPLE Alliance, treaty of, mischiefs done by it in Spain, 144—its effects in Spain will be null, 145.

Quesada, General, accuses General Llauder, 535—Commander of the garrison of Madrid, 536—places the capital in a state of siege, 542—ordered to remain firm at all hazards, 543—murdered, 546—his character, *ib.*

## R.

RAEBINS, salaried by the Belgian government, 18.  
 Radicals, their objects, 615—have nothing to gain by causing discord among the reformers, 617.  
 Railway from Paris to St. Germain, 385.  
 Reformers, their game made more difficult by the proceedings of the Lords, 609—union among, necessary, 613—number of, would be increased by a dissolution, 617.  
 Reformists of all sects, their number in Belgium, 12.  
 Republic, the French, conquer Belgium, 10.  
 Republicanism unpopular in Belgium, 11—most found among the junior branches of the Catholic clergy, 13.  
 Requests, Courts of, 438.  
 Rolando, Cardinal, his answer to Frederic Barbarossa, 41.  
 Rosa, M. de la, his administration, 519—absurdity of his amnesty, 520—self-love of, 521—establishes the *statuto réél*, 523.  
 Russia, History of, 232—first known to us in the sixteenth century, *ib.*—omitted in the scheme of Elizabeth and Henri IV., *ib.*—Constantinople, the spiritual metropolis of, 233—subject to the Tartars, *ib.*—lost by this subjection all individual and municipal freedom, *ib.*—sources of the history of, 233, 234—empire of, Normanno-Slavonic, 235—whence the name, *ib. note.*—Russians attack Constantinople, 237—Vladimir, emperor of, 243—converted to Christianity, *ib.*—Russians again attack Constantinople, 249—Princes of Russia connected with European royal lines, 250, 251—republics in, 254—commerce of, in the eleventh century, 256, 257—early literature of, 260—civilization of Russia in old times superior to its present state, 261—her insidious attacks upon our commerce, 305, &c.—taxes British manufactures

heavily, 314—her openly declared enmity to England, 316—her aggressions partly political, partly commercial, 332—fears war with England, *ib.*—such a war inevitable, 333—identified with the cause of absolutism throughout the world, *ib.*—the Levant the chief seat of a diplomatic war with her, 334—by a Manchester manufacturer, 446—late attention paid to the proceedings of Russia, *ib.*—acquisitions of, 447—in the opinion of Mr. Cobden ought to have Constantinople, 449—Tariff of, extracts from, 449, &c.—her attempt to close the mouths of the Danube, 451—advantages Christianity and morality would gain, in Mr. Cobden's opinion, by her *seizing* Constantinople, 453—doubtful, 455—Russia not more civilized than Turkey, 457—errors respecting her trade, 458—weaker than generally given out, 461—slaves in Russia, 463—military colonies of, *ib.*—violence on which her rule is founded in Poland, 476.

Russians, their conduct in the Polish war, 83, 84—their captured standards displayed in Warsaw, 85.

Russo-phobia, 447.

*Ryots*, or peasants in Persia, 344—their condition various, but often comfortable, 347—grown suspicious, 348—do not work very hard, 349.

## S.

SALIC Law, never existed in Spain, 517.  
 Schools, state of, in Manchester, Liverpool, and Bury, 585—English, on the voluntary principle, 577—increase in the number of, 578—in the country, 579.  
*Sheherees*, or shopkeepers in Persia, 342—despised by the military and Eeliauts, *ib.*—often great travellers, 343.  
 Sismondi, History of the Italian Republics, 42.  
 Skrzynecki joins the Polish patriots, 71—elected generalissimo, 82—successes of, 84—removed from command, 86.  
 Sobieski, bridge of, 63—rendezvous of the Polish confederates, *ib.*—built over canals communicating with the Vistula, 75.



*Sociétés en Commandite*, 396 — differ from our joint-stock companies, 397 — will be established for the purpose of farming estates, 396 — such a one already existing, 397 — advantages of the plan, 399.

Societies, educational, in England, 581 — their working, 582, 595.

*Scoffism*, professed by the Dervishes, 339.

Soult, Marshal, feared by the army, 560.

Spain. No impartial account of the political events in, 109 — Mr. Lewis's sketches, *ib.* — Spain revisited, and M. Marliani's *l'Espagne et ses Révolutions*, *ib.* — manners and institutions different from those of the rest of Europe, 110 — erroneous judgment usually entertained of this fact, 110 — the history of Spain is uniform, 111 — literature and manners, oriental, *ib.* — Arab names, customs, &c. in Andalusia and Valencia, 112 — the Spaniards inveterately attached to the traditions and usages of the past, *ib.* — sumptuous monuments of Spanish art, 113 — the present state of Spain only intelligible from the study of the past, *ib.* — municipal franchises, 114 — monarchy has struggled unsuccessfully in Spain against the provincial and municipal institutions, *ib.* — The Cortes as early as the ninth century, *ib.* — Battle of Villalar, and ruin of the *Comuneros*, 115 — Spain under the Austrian and French dynasties, *ib.* — Napoleon in Spain, *ib.* — return and tyranny of Ferdinand, 116 — dissensions in, 117 — new era in, 118 — feelings of the nobles and people, *ib.* — faults of the ministers, 119 — administrative abuses, 120, &c. — characters of some of the ministers, 125, &c. — system of election, 139 — instance of bravery, 140, 141 — relations to England and France, 144 — situation little understood, 511 — the question at issue there not a mere Peninsular one, *ib.* — no revolution in Spain. *ib.* — divided into two great social masses, 512 — easily explained from the past history of the country, 513 — evils spring from the union of the monarchy, *ib.* — an assemblage of little republics, 514 — unity of the government crushes and oppresses Spain, 515 — proclamation of the Constitution of 1812, natural consequence of the misconduct of the ministers, 516 — events of La Granja in 1832, 517 — Salic law never existed

in Spain, *ib.* — power of the Cortes in, 524 — her liberties cloven down upon the field of Villalar, 530 — law of elections in Spain, 532 — destiny of in the hands of the new Cortes, 548 — desires a regeneration, not a revolution, 549 — efforts of men of property in Spain, not supported by France, *ib.* — if longer left to herself will sever into independent republics, 550.

Statute, the Royal in Spain; its character, 527 — rejected by the people, *ib.* — principal provisions of, 533.

Stewart, P. M., Esq., M.P., his speech, on the Aggressions of Russia, 305, 309, &c.

Succession in Spain altered by a decree of Philip V., 518.

Swift, his letter to Temple, 108 — interview with St. John, 104.

Szembek, General, joins the Polish patriots, 71.

Szyrma, Professor of Moral Philosophy in the University of Warsaw, 70 — commands the "honorary guard" of students, *ib.* — great services of this corps, *ib.*

## T.

TALFOURD, Mr. Sergeant, fallacy of his views respecting credit, 407.

Talleyrand, Prince, opposed to an alliance with Russia, 561.

Temple, Sir W., representative of an ancient family, 90 — his early life spent during the revolution of 1645, *ib.* — dispatched by Arlington to the Prince Bishop of Munster, *ib.* — appointed resident at Brussels, 91 — concludes the "Triple league," 92 — recalled from the Hague, 96 — disgraced, 97 — character of his literary productions, *ib.* — his style, 98 — re-appointed to the Hague, *ib.* — declines the embassy to Spain, *ib.* — interview with the King, 99 — dispatched to Nimeguen, 100 — unable to withstand the intrigues of Charles, *ib.* — scheme of a Council, 101 — Temple in retirement, 102 — Temple and Swift, 103, 104 — his character, 105 — Mr. Courtenay's life of, 105, &c.

Thiers, a partisan of centralisation, 187 — his character, 193 — Prime Minister, *ib.* — absurdly compared to Pitt, 194 — his want of principle and consistency, 194, 195 — his speaking, 195 — his por-

trait, by Timon, 196—his fall owing to himself alone, 551—brilliant but unsteady, 552—did not consult his Colleagues, *ib.*—insulted the King, 553—expects to be borne back into the Cabinet in triumph, 554—not responsible for the treatment of Switzerland, 562—sounded Lord Palmerston as to an intervention in Spain, *ib.*

*Tiers Parti.* Its character and men, 190, 191.

Toreno, Jose Maria, Count de, minister, 125—his character and life, 126—his Ministry, 536—declares the capital in a state of siege, *ib.*—his fall, 537.

Treasury, the, not a good educational board, 593.

Turkey; her principles of free trade, 306 to 318—not reciprocated by us, 317—value of her trade to England, 309—monopolies falsely stated, 318—English duties on productions of, 317—not inferior in civilization to Russia, 457.

## U.

UNITED States of America, commercial treaty between Belgium and, 17—faults committed by Belgium in her commercial intercourse with, 18.

## V.

VARANGIANS or Northmen, conquer Novgorod, 235, 236.

Villalar, battle of, fatal to the liberty of Spain, 530.

*Viva voce* pleading, its advantages, 423—not unknown to our judicature, 426.

Voluntary system of Education, rejected almost throughout Europe and North America, 573 to 575—works execrably, 591—its overthrow the only chance of a good system of Education, 603.

## W.

WARSAW, the rising at in 1830, 61—pupils of the University punished by Constantine, 62—state of, after the first outbreak of the revolution, 66—rising of the people, 67—garrison of, 68—students of, 69—siege of, 87.

Wellington, Duke of, identified with Lord Lyndhurst, 607 to 610.

William, King of Holland, his commercial monopolies, 9—proves Leopold's best ally, 14.

Wislica, Diet of, in 1847, 472.

Witt, De, his noble character, 93—interview with Temple, 96—his dancing, 107.

## Z.

ZEA, his administration, 518—his fall, 519—succeeded by Martinez de la Rosa, *ib.*

## ERRATUM :

p. 25.—For Wolfram von Eschenbach, &c., read Walther von der Vogelweide.

END OF THE THIRD VOLUME.

LONDON :

PRINTED BY T. BRETTELL, RUPERT STREET, HAYMARKET.

28.  
Ks













